ACTS

OF

ASSEMBLY,

PASSED IN THE

Iſland of *Montſerrat*;

From 1668, to 1740, incluſive.



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INDEX

TO THE

Laws of *Montſerrat.*

Paſſed 1668.

AN Act for new-granting, ſettling, and confirming the Duty, Impoſt, or Cuſtom of Four and an Half per Cent. *of the Growth of this Iſland of* Montſerrat, Page 1

An Act declaring the former Grant of the Duty of Four and an Half per Cent. *loſt and null within this Iſland*, &c. 2

An Act for new-granting and confirming the Duty or Cuſtom of Four and an Half per Cent. ibid.

An Act for condemning all Lands loſt to his Majeſty in the ſaid Iſland of Montſerrat, 3

An Act for reinveſting all Proprietors in their Lands, 4

An Act for the raiſing a Maintenance for a preaching Miniſter, 6

An Act for the ſpeedy erecting and building of a Place for the Court of Judicature, now or hereafter to be erected in this Iſland, to be kept in; and for the ſpeedy erecting of Beacons in the ſeveral Parts of this Iſland, 7

An Act againſt all ſuch Perſons as neglect their Duty at Muſters, or are diſobedient to their Commanders, or are negligent in performing their Duty upon the Watch, or at Rendezvous, or in their March; and to prevent Perſons liſted in one Diviſion from removing into another, without lawful Notice given to their Commander; as alſo for making Proviſion for the raiſing of a Magazine in this Iſland, 9

An Act for the ſpeedy building of a Town at Briſkett's Bay, *in the Iſland aforeſaid*, ibid.

An Act for ſettling of the Secretary's Fees and Marſhal's Fees in the Iſland aforeſaid, ibid.

An Act againſt opprobrious Language, 11

An Act to prevent the Trouble of Jurors in Actions not exceeding One thouſand Pounds of Sugar, 13

Paſſed 1669. *An Act touching the Merchants ſelling of Liquors, and that the Keepers of Taphouſes do not exact in ſelling of their Liquors for Money*, &c. Page 14

An Act for paying of Tobacco in Leaf, &c. 16

An Act for planting of Proviſions, and diſannulling of Writings made out of the Secretary's Office, 17

1670. *An Act for reducing the Trade of this Iſland into Three certain Towns in the ſame; and for Encouragement of thoſe who ſhall bring any Foreign Coin into this Iſland*, 19

An Act for reſtraining the Liberty of Negroes, and to prevent the running away of Chriſtian Servants, &c. 20

An Act for the repairing the Highways in the aforeſaid Iſland, and for keeping them ſo, 21

An Act touching ſuch as ſhall buy any Sorts of Liquors on board any Ships or other Veſſels in this Iſland, and againſt thoſe who ſhall ſell any Liquors in or upon this Iſland without Licence, ibid.

An Act to prevent the Abuſe committed by paying of ſuch Indigo and Sugar as are not fit to be received; and that the Sugars made in and upon this Iſland ſhall not paſs under the Rates in this Act mentioned, 23

An Act that the Bounds of every Perſon or Perſons Land in and upon this Iſland be examined, 24

1672. *An Act for the raiſing of a Levy on all Lands in this Iſland, and the Inhabitants thereof; and for the building of a Court-houſe and Priſon*, 25

An Act for the ſpeedy making of a Platform in the New Fort of this Iſland, for the Guns to be planted there, ibid.

1668. *An Act for the Obſervation of the Lord's Day*, 26

An Act of free Trade for Merchants and Traders, reſerving to the Governor Four and twenty Hours for his Particular with the Inhabitants; and for preventing the Fraud in Quality or Quantity of Weights and Meaſures, ibid.

An Act againſt Ingroſſers of Commodities, and Foreſtallers of Goods, 27

An Act to prevent Merchants or Factors in this Iſland from ſelling Goods left with them at a dearer Rate than the firſt Merchant ſold, upon pain of One thouſand Pounds of Tobacco, ibid.

An Act for viewing, ſealing, and allowing Merchants Weights and Meaſures, 28

An Act for Maſters of Ships, Boats, or Veſſels that come to anchor in the Road of this Iſland, to enter into Bond within Four and twenty Hours in the Secretary's Office, not to tranſport any Perſon from the Iſland without Licence from the Office under the Governor's Hand, and to have Licence of Trade from the Office before they ſell their Goods, &c. ibid.

An Act for the Marſhal's attending the Governor once in every Four and twenty Hours, &c. ibid.

An Act againſt going through Fields of Canes with lighted Pipes, &c. 29

An Act againſt Slaves going from their Maſter's Plantation on the Lord's Day, and againſt ſuch as entertain any Runaways, &c. 30

An Act againſt Negroes and Slaves that preſume to go from their Maſters Plantation without Licence under their Hands, &c. ibid.

An Act impowering Juſtices of the Peace to order Labourers Wages; and reſtraining Perſons going on board Ships or other Veſſels, Page 31 — Paſſed 1673.

An Act reſtraining Phyſicians high Fees, and fining Rum-works, 32 — 1675.

An Act for the ſpeedy fixing of Fire-arms, and alſo for the Encouragement of Workmen, ibid.

An Act prohibiting the Importation of Fyall *Wine, and all Liquors to be entered before landed, and an Impoſt on the ſame,* 33 — 1677.

An Act confirming Levies formerly raiſed; Treaſurer's Notes to be accepted; Miniſter and Clerk's Salary; and Cattle's treſpaſſing, ibid.

An Act about contracting Marriages; and the Governor, Secretary, and Marſhal to be free from all Taxes, ibid. — 1678.

An Act againſt Negroes wandering, and the Concealers thereof, 34 — 1679.

An Act impoſing a Duty of Powder on all the Growth or Manufacture of Sugar, Tobacco, or Indigo tranſported from this Iſland, 35 — 1680.

An Act reſtraining the Aſſignment of Bonds and Bills without Conſent of Parties, and Seſſion Two ſeveral times in the Year; no Jury to be under One thouſand Pounds of Sugar, 36

An Act for the making Reſtitution for Cattle ſtolen by Negroes; and Licences for Taphouſes in Town and Country, 37

An Act againſt Blaſphemy, and for preventing Diſorders in Alehouſes, Taverns, and Victualling-houſes; and for rating Liquors ſold by retale, 39 — 1693.

An Act for preventing Abuſes that ariſe by Perſons going on board Veſſels before the Maſter hath made his Appearance to the Governor; and for the better ordering Boats and Wherries, 41

An Act to reſtrain the Inſolence of Slaves, and for preventing them from committing any Outrages, as alſo the better ordering ſuch Slaves, &c. 43

An Act for the encouraging the Importation of white Servants, 45

An Act for ſettling the Militia of this Iſland, 47

An Act for the eaſing of Tenants in Part from the great Taxes already raiſed and to be raiſed during the War, and aſſeſſing of Landlords, 52

An Act to enable Robert Blake *Eſquire, to ſell the Plantation of* Nicholas Lynch *deceaſed, for the Payment of his Debts,* 53 — 1696.

An Act for the proportionating of the Work on the Trenches, and the Reparation of the Fort at the Town of Kingſale; *and for repairing and amending the publick Roads and Highways of the Iſland aforeſaid,* ibid.

An Act for a Donation to the Honourable Colonel Thomas Delavall, *Lieutenant-governor of this Iſland,* 55 — 1697.

An Act for raiſing a Levy or Tax for defraying and diſcharging the publick Debts of this his Majeſty's Iſland, ibid.

An Act to prevent the Diſputes and Controverſies which have lately happened by the Payment of Money in lieu of the Commodity made or produced in this Iſland, and to regulate the ſame for the future, ibid. — 1700.

Paſſed 1700. *An Act for quieting Mens Eſtates, and for avoiding litigious Law-ſuits for Lands and Plantations in this her Majeſty's Iſland,* Page 57

1702. *An Act for repairing and amending the Highways, and for preventing the cutting down or clearing the ſtanding Woods, Underwoods, Copſes, or Buſhes which grow by the Sides of Rivers and Brooks in this Iſland,* ibid.

An Act impowering Juſtices of the Peace to decide Differences not exceeding Six Pounds, 60

An Act to prevent Hazards and Inconveniencies that may happen by Thatcht Houſes in the Town of Plymouth; *and clandeſtine Dealings with Negroes,* 61

An Act determining the Sitting of Aſſemblies, and regulating the Elections of the ſame, 63

An Act to prevent burning or breaking of Canes, ibid.

1704-5. *An Act for raiſing a Levy or Tax for defraying or diſcharging the publick Debts, and the Support of the Government,* 65

An Act for the quartering Two Companies of Soldiers now in the Iſland, under the Command of Captain Maurice A'herne, *and Captain* William Moore, ibid.

1705. *An Act for repairing the ſeveral Forts and Platforms in this Iſland,* ibid.

An Act for quieting Poſſeſſions, and for the better ſecuring and confirming the Titles of Lands in this Iſland, ibid.

1710. *An Act to revive an Act, intituled,* An Act for ſettling the Rates of Impoſt on Liquors and Licences, and for enabling the Treaſurer for the time being to collect the ſame, 67

An Act to revive an Act to impower the Treaſurer for the time being, or his Deputy, to ſeize all Liquors which are in any Perſon's Cuſtody that preſume to ſell Liquors by Retale without Licence, ibid.

1711. *An Act for raiſing a Levy or Tax to defray and diſcharge the publick Debts, and for the Support of this Iſland,* ibid.

An Act to levy a Tax on all ſuch dry Goods and Merchandize as ſhall be imported to this Iſland from Europe, *to help to defray the contingent Charges thereof,* ibid.

1712. *An Act intituled,* A Powder Act, ibid.

1712-13. *An Act for raiſing a Fund to carry on an Undertaking for the recovering of the Loſſes of this Iſland lately ſuſtained by the* French, 68

An Act for the ſecuring Debts due to any Perſon from the Publick, who by the late Invaſion hath loſt their Adjuſtments, formerly ſettled by the Government, ibid.

1714. *An Act for repealing a certain Clauſe in an Act made in the Reign of King* William, *intituled,* An Act to reſtrain the Inſolencies of Slaves, and for preventing them from committing any Outrages, as alſo for the better ordering ſuch Slaves, ibid.

An Act to impower the Farmer of the Liquors and Licences to collect all and ſingular the Dues and Duties ariſing from the ſame, 69

An

An Act to continue a former Act for laying an Impoſition on Wines and other Liquors imported in this Iſland, Page 69 Paſſed 1714.

An Act for the unthatching all Thatcht Houſes in the Town of Plymouth, ibid.

An Act to repeal an Act, intituled, A Powder Act; *and for appointing an Impoſt of Powder on each Ton of Goods of the Growth of this Iſland that all Ships, Sloops,* &c. *trading to this Iſland ſhall take on board,* 71

An Act to repeal the Act, intituled, The Six Pound Act, 73 1715.

An Act for granting unto the Honourable Thomas Talmach *Eſquire, Lieutenant-governor of this Iſland, the ſeveral Rates and Duties upon Wines and other Liquors, and upon Licences for Sale thereof,* ibid.

An Act for raiſing a Levy or Tax, ibid.

An Act to prevent the making corrupt Indigo, ibid. 1717.

An Act for the reducing of Intereſt from Ten to Six per Cent. 75 1717-18.

An Act for the appointing William Nevin *Eſquire, Agent for the Iſland of* Montſerrat, 1718. ibid.

An Act for the prohibiting levying of Executions from the laſt of Auguſt *to the firſt of* March, ibid.

An Act for raiſing a Levy or Poll Tax, and Aſſeſſment upon Trading Men, &c. *to pay off the publick Debts of this Iſland,* 76

An Act for the puniſhing ſuch Perſons as ſhall detain other Perſons Slaves or Servants, 1719. ibid.

An Act for the exempting the ſeveral Members of the Council and Aſſembly, and other Perſons, from Arreſts on publick Days, 77

A Repeal of an Act, whereby the Duties on Wines and other Liquors, and upon Licences, are given to the Honourable Thomas Talmach *Eſquire, and for appointing the former Duties to be levied on Wines, and other ſtrong Liquors imported into this Iſland,* 1721. ibid.

An Act for raiſing a Levy or Poll Tax, and for taxing and aſſeſſing of the Houſes in the Town of Plymouth, *to pay off the publick Debts of this Iſland,* 78

An Act for granting to his Majeſty, his Heirs and Succeſſors, certain Duties upon the Impoſt of dry Goods and Liquors, &c. *and for the Payment of Five hundred Pounds annually to his Excellency* John Hart *Eſquire, Captain-general, and Governor in Chief of all his Majeſty's* Leeward Charibbee *Iſlands in* America, 1721-2. ibid.

An Act for raiſing a Levy or Poll Tax, for taxing the ſeveral Houſes within the Town of Plymouth, *and for aſſeſſing each reſpective Trader within the ſaid Iſland,* ibid.

An Act for granting to his Majeſty, his Heirs and Succeſſors, certain Duties upon the Impoſts of Beef, Pork, Herrings, &c. *towards defraying the annual Expences of the Honourable* Charles Dilke *Eſquire, Lieutenant-governor,* 1722. ibid.

An

Paſſed 1722. *An Act for the preventing keeping Canoes, unleſs ſufficient Security be given; and to prevent Members of the Council and Aſſembly ſigning any Adjuſtments out of their reſpective Houſes,* Page 79

1723-4. *An Act for granting to his Majeſty, his Heirs and Succeſſors, certain Duties upon the Impoſt of Liquors, and upon Houſe Rent and Mills in this Iſland, for the Payment of Five hundred Pounds annually to his Excellency* John Hart *Eſquire, Captain-general, and Governor in Chief of all his Majeſty's* Leeward Charibbee *Iſlands in* America, 80

An Act for raiſing a Levy or Poll Tax, towards paying and diſcharging the Debts of this Iſland, ibid.

1724. *An Act to prevent the frequenting of Taverns, Alehouſes, and other Tipplinghouſes by Seamen; and for the preventing the ſelling of Rum, Rum Punch, or other Liquors, to Negroes on* Sundays, 81

An Act for holding a Court of General Seſſions, 82

1726. *An Act for raiſing a Levy or Poll Tax,* 83

1728-9. *An Act for granting to His Majeſty, His Heirs and Succeſſors, certain Duties upon the Impoſt of Liquors, and upon Houſe Rent in the Town of* Plymouth, *and Mills in this Iſland, for the Payment of Six hundred Pounds* per Annum, *in the Species of Gold or Silver, unto his Excellency* Thomas *Earl of* Londonderry, *Captain-general, and Governor in Chief of all His Majeſty's* Leeward Charibbee *Iſlands in* America, ibid.

1729. *An Act for the eſtabliſhing of a Court of King's-bench and Common-pleas, and a Court of Errors, and for the more ſpeedy Execution of Juſtice; and for collecting certain Fines and Penalties on the Officers taking other Fees than allowed in a Docket ſettled by his Excellency, by the Advice of the Council,* 84

An Act of Settlement and Limitations, for avoiding Suits at Law, 93

An Act for the Encouragement of Artificers and Labourers to recover Debts not exceeding Six Pounds, 96

An Act to repeal an Act, intituled, An Act impowering Juſtices of the Peace to decide Differences not exceeding Six Pounds, 97

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing of the Houſes in the Town of Plymouth, ibid.

1730. *An Act for naturalizing* John Lindeſay, John Lindeſay *junior, and* Joſeph Lindeſay, Dutch *Proteſtants,* ibid.

1732. *An Act for naturalizing* William Veſſunp, Maria Veſſunp, Maria Veſſunp *junior*, Anna Veſſunp, Elizabeth Veſſunp, John Veſſunp, Baltazar Veſſunp, Hans Peter Dorns, *and* Cornelius Duurloo, Dutch *Proteſtants,* 98

1732-3. *An Act for conſtituting a Court Merchant,* ibid.

1733. *An Act for ſelling Flour, Biſcuit, Corn, and Oates by Weight,* ibid.

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of Plymouth, 99

An Act to explain a Clauſe in an Act, intituled, An Act for holding a Court of General Seſſions, Page 99 — Paſſed 1733.

An Act to amend a Clauſe in an Act, intituled, An Act for eſtabliſhing of a Court of King's-bench and Common-pleas, and a Court of Errors, and for the more ſpeedy Execution of Juſtice; and for collecting certain Fines and Penalties on the Officers taking other Fees than allowed in a Docket ſettled by his Excellency, by the Advice of the Council, 100

An Act for the more ſpeedy building of a Church in the Pariſh of St. Anthony, *in the Iſland aforeſaid,* 101

An Act for providing an honourable Support for his Excellency William Mathew *Eſquire, Chief Governor of theſe Iſlands, during his Government; and for continuing the Duties on Liquors and Licences,* 102 — 1734.

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of Plymouth, 104

An Act for the more ſpeedy and effectual Diſpatch of the publick Buſineſs of this Iſland, ibid.

An Act for the better preſerving and taking care of the Pariſh Church of St. Anthony, *and the Incloſure thereof, as alſo the Incloſure round the old Church Yard,* ibid.

An Act for the encouraging the Loan of Money by Factors or Merchants in Great Britain, *to Perſons reſiding in this Iſland,* 105 — 1735.

An Act for the reducing of Intereſt from Ten to Eight per Cent. 106

An Act for building a Magazine, and for putting in Order the Forts and Batteries within this Iſland, and mounting the Cannon thereon, 107

An Act for conſtituting a Court Merchant, ibid. — 1735-6.

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of Plymouth, ibid.

An Act for the more effectual preventing all Trade in theſe Parts between His Majeſty's Subjects and the French, ibid. — 1736.

An Act for the further Reſtriction of Slaves, by prohibiting them from planting any Indigo, Cotton, Ginger, Coffee, or Cocoa; and from keeping a publick Market on Sundays; *and for further reſtraining licentious Meetings of Negroes,* 110

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of Plymouth, 112 — 1736-7.

An Act for appointing John Yeamans *Eſquire, Agent for this Iſland, and for providing a Recompence for his Trouble, and ſettling Methods for his better Management of that Truſt,* ibid. — 1737.

An Act for the more ſpeedy and effectual Diſpatch of the publick Buſineſs of this Iſland, ibid. — 1738.

An Act to explain and amend an Act, intituled, An Act for repairing and amending the Highways, and for preventing the cutting down or clearing the ſtanding Woods, Underwoods, Copſes, or Buſhes which grow by the Sides of Rivers and Brooks in this Iſland, 113

Paſſed 1738. *An Act for raiſing a Levy or Poll Tax, and for taxing the Houſes and Livers in the Town of* Plymouth, Page 116

An Act for repairing Plymouth *Fort and Magazine, and for ſecuring the Town from any future Eruption of Water from the Fort Gutt,* ibid.

1739. *An Act to raiſe a Levy or Poll Tax upon Whites and Slaves, and to tax the Houſes in the Town of* Plymouth, 117

1739-40. *An Act for preventing clandeſtine Marriages in the Iſland of* Montſerrat, ibid.

1740. *An Act for the better Recovery of Debts from Judges, and others, Miniſters of the Law in this Iſland, and for obliging them to put in Special Bail upon Warrants of Arreſt,* 118

An Act to raiſe a Levy or Poll Tax upon Whites and Slaves, and to tax the Houſes in the Town of Plymouth, 119

An Act impowering the Juſtices of the Court of General Seſſions to appoint Surveyors of the Highways, and for the Town of Plymouth, *on failure of their being appointed, as by former Acts directed,* ibid.

THE



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THE LAWS OF *MONTSERRAT.*

1668.

An Act for new-granting, ſettling, and confirming the Duty, Impoſt, or Cuſtom of Four and an Half per Cent. *of the Growth of this Iſland of* Montſerrat. N° 1. Repealed.

1668.

By his Excellency *William* Lord *Willoughby* of *Parham*, Captain-general, and Chief Governor of *Barbadoes*, and the reſt of the *Charibbee* Iſlands, the Honourable Council, and ſeveral Repreſentatives of the Inhabitants of this Iſland:

№ 2. *An Act declaring the former Grant of the Duty of Four and an Half* per Cent. *loſt and null within this Iſland*, &c.

WHEREAS, during the late War betwixt our Sovereign Lord King *Charles* the Second, the *French* King, and the United Netherlands, our ſaid Majeſty loſt ſeveral of his Iſlands in the *Weſt Indies*, being ſubdued by ſeveral Forces commanded under Monſieur *Le Februe Delabar*, and aſſiſted by that inhumane barbarous People the *Indians*, and amongſt others, this Iſland alſo being loſt, as aforeſaid, thereby all the Conſtitutions of Government, Lands, and Grants for Lands, were alſo deſtroyed, together with the Grant for, and Duty of Four and an Half *per Cent.* which was formerly ſettled in this Place; be it therefore ordained and enacted, and it is hereby ordained and enacted by the Authority aforeſaid, That the ſaid former Cuſtom, Impoſt, or Duty of Four and an Half *per Cent.* is, to all Intents and Purpoſes, become void and null, and alſo any Act and Thing concerning the ſame, by reaſon of the Conqueſt aforeſaid, and the ſame is hereby declared null and void accordingly.

Cuſtom, &c. of 4½ *per Cent.* void, by reaſon of Conqueſt.

By his Excellency *William* Lord *Willoughby* of *Parham*, Captain-general and Chief Governor of *Barbadoes*, and the reſt of the *Charibbee* Iſlands, the Honourable Council, and the ſeveral Repreſentatives of the ſeveral Inhabitants of this Iſland:

№ 3. *An Act for new-granting and confirming the Duty or Cuſtom of Four and an Half* per Cent.

WHEREAS, by reaſon of late Conqueſts obtained by the *French* King on all the Inhabitants of this his Majeſty's Iſland, all manner of Civil Government, the ſeveral Conſtitutions, Grants, and particular Properties of all of his ſaid Majeſty's Subjects were deſtroyed and loſt within this his

his ſaid Iſland: And whereas, among the reſt, the former Grant and Settlement of the Cuſtom or Duty of Four and an Half *per Cent.* became void, null, and of none Effect, as may alſo more plainly appear by an Act of this Country, bearing Date the Fifteenth Day of *April* inſtant, in that Caſe made and provided; therefore be it enacted and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That from and after the Day of the Date hereof, a new Impoſt or Cuſtom of Four and an Half *per Cent.* ſhall be paid out of all the Commodities of the Growth of this Iſland, which ſhall be exported out of this Iſland by every ſuch Tranſporter, unto the Uſe of his ſaid Majeſty King *Charles*, *&c.* his Heirs and Succeſſors for ever, and the ſame is and ſhall be hereby confirmed on his Majeſty, his Heirs and Succeſſors, in as full and ample Manner as ever the ſame was heretofore paid, granted, and confirmed in *Barbadoes*, or any other of his ſaid Majeſty's Iſlands of *Nevis*, *&c.* and whoſoever ſhall unduly ſhip any Goods of the Growth of this Iſland in any Shallop, Ship, Boat, or other Veſſel, without due Entry firſt made, and Payment made or ſecured to be made for the Cuſtom or Duty, in the Cuſtom-houſe that ſhall be appointed to receive ſuch Entries, the Cuſtom or Duty growing thereupon, ſhall loſe all ſuch Goods; the One Half to his ſaid Majeſty, the other Half to the Seizer of the ſame, which ſhall be recoverable in his ſaid Majeſty's Courts here, by Bill of Complaint, or the like.

1668.

4½ *per Cent.* continued.

By his Excellency *William* Lord *Willoughby* of *Parham*, Captain-general and Chief Governor of *Barbadoes*, and the reſt of the *Charibbee* Iſlands, the Honourable Council, and the ſeveral Repreſentatives of the Inhabitants of this Iſland:

An Act for condemning all Lands loſt to his Majeſty in the ſaid Iſland of Montſerrat. N° 4.

FORASMUCH as the late unhappy War aroſe between our Sovereign Lord King *Charles* the Second, *&c.* the *French* King, and the States of the United Netherlands, by Means whereof thoſe of his ſaid Majeſty's Subjects, ſituate on this Side the Tropick, were Sharers in ſeveral Misfortunes of the ſaid War, ſeveral of his ſaid Majeſty's Iſlands in theſe Parts being by an irreſiſtable Power conquered and ſubdued by the *French* King's Forces, and Ships of War, under the Command and Conduct of Monſieur *Le Februe Delabar*, Captain-general to the *French* King, in the *Weſt Indies*, aſſiſted with the *Indian* Canibals, amongſt which Conqueſts, this Iſland alſo was fully ſubdued to the Obedience of the ſaid *French* King, notwithſtanding all Reſiſtance poſſible was made againſt the Enemy by the Inhabitants of the ſame, Two Governors being commiſſionated and ſettled here to tranſact the ſaid *French* King's Affairs, which ſaid Iſland was afterwards reſettled and reſtored by ſeveral Ships and Forces pertaining to his ſaid Majeſty King *Charles* the Second, *&c.* ſo that all this Iſland thereby is become loſt unto his ſaid Majeſty our Sovereign Lord King *Charles* the Second, *&c.* therefore be it enacted

1668. and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That all and every of the former Proprietors of Lands within this Iſland (whether preſent here or abſent) their and every of their Heirs, Executors, Adminiſtrators, and Aſſigns, and all Manner of Perſons whatſoever, claiming for, by, or under them, have, to all Intents and Purpoſes, loſt all and every Part and Parcel of their reſpective Lands to his ſaid Majeſty, as aforeſaid, and their and every of their former Grants, Patents, and Titles to their and every of their Lands, are hereby deemed loſt to his ſaid Majeſty accordingly.

Lands loſt to his Majeſty.

By his Excellency *William* Lord *Willoughby* of *Parham*, Captain-general and Chief Governor of *Barbadoes*, and the reſt of the *Charibbee* Iſlands, the Honourable Council, and Aſſembly of the ſaid Iſland of *Montſerrat*:

№ 5. *An Act for reinveſting all Proprietors in their Lands.*

WHEREAS a late unhappy War happened between our Gracious Sovereign Lord King *Charles* the Second, *&c.* the *French* King, and the United Netherlands, by Means whereof ſeveral bad Accidents befel our ſaid Majeſty's Subjects in theſe Parts of the World, ſeveral of his Iſlands being conquered by an over-powering Force both by Sea and Land, under the Conduct of Monſieur *Le Februe Delabar*, Captain-general to the ſaid *French* King in *America*, being aſſiſted by the bloody and barbarous *Indians*; during which War the like Conqueſt by the *French* King was obtained over and upon our ſaid Majeſty's Subjects in this Iſland, the ſame for a certain Time being poſſeſſed and governed by the ſaid *French* King's Commiſſion, by Means whereof all the Lands in this Iſland belonging to all Perſons, both preſent and abſent, are become loſt to our ſaid Majeſty, he having ſince regained the ſame to his own Obedience by his Forces, according to the declared Wiſhes and Deſires of theſe Inhabitants, all which Land accordingly, by an Act of this Country, bearing Date the Sixteenth Day of *April* inſtant, are enacted and ordained to be loſt, to all Intents and Purpoſes, unto his ſaid Majeſty King *Charles* the Second, *&c.* now foraſmuch as that the ſeveral Inhabitants of this Iſland (if not encouraged to ſtay and abide here) are likely ſpeedily to deſert this Iſland, to the Prejudice of our ſaid Majeſty's Intereſt in theſe Parts, if a timely Remedy ſhall not be in that Caſe made and provided: For the Prevention therefore of the aforeſaid Inconveniency, it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That all and every of the late Proprietors of Land in this Iſland are hereby reinveſted in all and ſingular their Plantations, Lands, Immunties, and Appurtenances, which lately they enjoyed, and the ſame to hold, occupy, enjoy, and poſſeſs, to him and them, his and their Heirs, Executors, Adminiſtrators, and Aſſigns for ever, and that they ſhall and may, when reaſonably deſired, have the ſame ſo confirmed, by Patent under the Great Seal of *Barbadoes*, and the reſt of the *Charibbee* Iſlands, for that Purpoſe by his ſaid Majeſty appointed, excepting, and always excepted, any thing

Lands veſted in Proprietors.

thing aforeſaid to the contrary in any wiſe notwithſtanding, all the Lands hereafter mentioned, to ſay, all the Land of *Anthony Briſkett* Eſquire; alſo excepted, all that Plantation of Mr. *William Carr*'s, given him by Governor *Osborne*, Northward, eſteemed Three hundred Acres, more or leſs, and reſigned by him, ſaving Liberty to *Francis Francklin* of *Nevis*, for an Hundred and thirteen and an half Acres, if well-ſettled in Twelve Months; alſo excepted, that Plantation called, *The Merchants of* London's *Plantation*, to ſay, *Mark Mortimer*, and others, Northward Three hundred Acres, more or leſs; alſo excepted, that Plantation of Mr. *Potts* of *Plymouth*, Northward Two hundred Acres, more or leſs, unleſs in Twelve Months the ſame ſhall be well-ſettled and furniſhed with a competent Number of Men, able Men for Arms; and alſo excepted, *William Willcox*'s Plantation, Northward One hundred and fifty Acres, more or leſs, unleſs in Twelve Months the ſame be ſettled as by Mr. *Potts* is mentioned to be ſettled; and alſo excepted, that Plantation of Mr. *Iriſh*, Northward, ſometime called *The Cow Paſture*, One hundred and Fifty Acres, more or leſs, unleſs in Twelve Months the ſame ſhall be ſo ſettled, as aforeſaid; as alſo excepted, that Plantation formerly of Lieutenant *Stevens*, Northward, being Three hundred Acres, more or leſs, reſigned by *Alexander Roliſon*, in lieu of that Parcel of Land to be confirmed on him which was formerly appertaining to *Thomas Andrews* at the Garden, being One hundred Acres, more or leſs, reſerving to *Daniel Jones* what Intereſt by a former Bill of Sale expreſſed to pertain to him, and Fifty Acres more of the Land adjoining, never before taken up; alſo excepted, the Land and Plantation of the Widow *Bently*, Northward, containing Four hundred Acres, more or leſs, if the ſame ſhall not be well-ſettled by her in Twelve Months time from the Day of the Date hereof, with a competent Number of Men able to bear Arms for the Defence of the Iſland, ſuitable to ſuch a Quantity of Land; alſo excepted, all the Land of Colonel *Osborne*, late Governor here, being abſent from this Iſland, unleſs in Twelve Months time from the Day of the Date hereof, all his ſaid Land ſhall be well-ſettled by him, and furniſhed with a competent Number of Men able to bear Arms for the defending of this Iſland; alſo excepted, all that Plantation formerly poſſeſſed by *Lucus Codory*, abſent from this Iſland, with all his Family, unleſs the ſame ſhall be ſettled by him in like manner as is afore declared in the Caſe of Colonel *Osborne* aforeſaid, being One hundred and fifty Acres, more or leſs; alſo excepted, that Plantation of Colonel *Devereux*, unleſs ſettled in the ſame Manner as aforeſaid; alſo excepted, all thoſe Lands formerly called and owned as pertaining to Doctor *Peter Delarouſe* deceaſed, being Six hundred Acres, more or leſs; as alſo excepted, all the Lands about *Carr River*, unleſs the ſame ſhall in Six Months be well-ſettled, to the Content of the Governor and Council of this Iſland.

1668.

Lands excepted.

1668.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the ſaid Iſland:

N° 6. *An Act for the raiſing a Maintenance for a preaching Miniſter.*

WHEREAS this Iſland hath, ſince the late War in theſe Weſtern Parts, and the reducing of the ſame to the Obedience of our Sovereign Lord King *Charles* the Second, *&c.* been much deſtitute of a preaching Miniſter, which hath cauſed many Breaches of the Sabbath, and a general Neglect of publick Worſhip, *&c.* to the Diſhonour of Almighty God, and ſcandalizing of the Proteſtant Religion; for preventing of which for the future, be it enacted and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That, by the firſt Conveniency that may be, an able preaching Orthodox Miniſter be procured, for performing of publick Worſhip, and preaching of God's holy Word, and adminiſtring the Sacraments of Baptiſm and the Lord's Supper, and other Rites and Ceremonies of the Church, in this Iſland of *Montſerrat*, according to the Canons of the Church of *England*, and the known Laws of the ſaid Realm.

A Miniſter to be appointed.

II. AND it is hereby further enacted and ordained by the Authority aforeſaid, That for the Maintenance of ſuch able preaching Miniſter, the full and juſt Quantity of Fourteen thouſand Pounds of Sugar, or the Value thereof in Tobacco, Cotton, Wooll, or Indigo, be yearly raiſed or levied of and from the ſeveral Inhabitants of this Iſland, according to their ſeveral Abilities, by way of Levy, or otherwiſe; and that all and every the Quantities of Sugar, Tobacco, Cotton, Wooll, or Indigo, ſo to be levied, for the Maintenance of any ſuch preaching Miniſter, ſhall be paid unto the Treaſurer, now or hereafter to be appointed for the ſaid Iſland, and the ſame to be paid by ſuch Treaſurer unto ſuch able preaching Miniſter, upon lawful Demand: Provided always, and the true Intent and Meaning of the Authority aforeſaid, and this Act, is, That every ſuch able preaching Miniſter, which by this Act ſhall be capable to receive the aforeſaid yearly Salary or Stipend of Fourteen thouſand Pounds of Sugar, or the Value thereof in Tobacco, Cotton, Wooll, or Indigo, ſhall not deny the baptizing of any Infants born of any of the Inhabitants of this Iſland, being brought unto him to the Church, or publick Place of Worſhip, without demanding any Payment for the adminiſtring the Sacrament of Baptiſm to ſuch Infant or Infants, according to the Canons and Conſtitutions of the Church of *England*, nor for Churching of Women, according alſo to the Place aforeſaid: Provided alſo, That no ſuch preaching Miniſter ſhall demand any more than One hundred Pounds of Sugar, or the Value thereof in Tobacco, Cotton, Wooll, or Indigo, for the joining together any of the Inhabitants of this Iſland in the holy and lawful Eſtate of Matrimony; neither ſhall any ſuch preaching Miniſter deny the burying of any of the Inhabitants of this Iſland, who ſhall depart this Life in the ſaid Iſland, and to be buried in the ſame, upon Requeſt to him made by any Perſon or Perſons to that Purpoſe, without demanding or taking any thing for ſo doing; excepted always out of this Act, all ſuch Funeral Sermons which any ſuch preaching Miniſter ſhall be deſired or employed to preach, for which it ſhall and may be lawful to and for ſuch preaching

His Maintenance,

and Duty.

Miniſter to agree for with any Perſon or Perſons that ſhall deſire him to perform the ſame. 1668.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the Inhabitants of the ſaid Iſland of *Montſerrat*:

An Act for the ſpeedy erecting and building of a Place for the Court of Judicature, now or hereafter to be erected in this Iſland, to be kept in; and for the ſpeedy erecting of Beacons in the ſeveral Parts of this Iſland. No. 7

WHEREAS there is a great Neceſſity for the erecting and building of a Court-houſe in this Iſland, for the keeping of, and adminiſtring of Juſtice duly to all Inhabitants or Strangers, now or which hereafter ſhall be reſiding on this Iſland, by the ſeveral Courts of Judicature to be appointed and kept in this Iſland, as alſo for the erecting of Beacons, which, upon due and legal firing thereof, may give timely Notice to all his Majeſty's Subjects, now or which hereafter ſhall be reſiding on this Iſland, to put themſelves in a martial and warlike Poſture, upon any Enemy or Enemies invading of this his ſaid Majeſty's Iſland of *Montſerrat*; for the ſpeedy effecting whereof, be it enacted and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That within One Month immediately after due Publication of this Act, all and ſingular the unarmed Men, and all Men-negroes, inhabiting in or appertaining to the Diviſion from the *Church Gut*, by Captain *Haſkins*, to *Briſkett*'s River, and ſo directly down to the Sea-ſide, do cut and fell down, and cauſe to be carried away, all ſuch Timber, or other Wood, in and from any Plantation or Plantations in the ſaid Iſland of *Montſerrat*, moſt convenient for the building of ſuch Court-houſe at the Place where the Town is to be built, at Captain *Briſkett*'s Bay in the Iſland aforeſaid; all ſuch Timber, or other Wood, ſo to be provided for the building of ſuch Court-houſe, to be cut down at the Diſcretion and Appointment of *Robert Blyther*, *John Gardner*, *Patrick Hogge*, and *Robert Boyd*, Carpenters, which ſaid Carpenters are hereby firmly enjoined to cauſe good and ſubſtantial Cratches to be erected at the Place aforeſaid, for the making of a good, ſubſtantial, and firm Cratched-houſe, the aforeſaid Chriſtians and Negroes in the Diviſion aforeſaid, being hereby firmly enjoined for to dig the Holes for the aforeſaid Carpenters, and to be aſſiſting unto them the ſaid Carpenters in raiſing of the ſame, as the ſaid Carpenters ſhall appoint the ſame to be done and erected, and the ſame to be ſo erected at the proper Coſt and Charge of the aforeſaid Carpenters. Court-houſe and Beacons to be erected.

II. AND for the better carrying on of the Work aforeſaid, it is by the Authority aforeſaid hereby alſo enacted and ordained, That Captain Lieutenant *Moyle Johnſon*, and Lieutenant *John Devereux*, and Enſign *James Brimidgham*, with Overſeers appointed.

1668. with One Serjeant out of each Company belonging to the ſaid Diviſion, be Overſeers of the aforeſaid Work; and all ſuch Chriſtians and Slaves that ſhall be employed about the aforeſaid Work, are hereby firmly enjoined to be obedient to the Commands of the Overſeers hereby appointed of the Work aforeſaid.

By whom to be thatched, &c. III. AND it is alſo further enacted and ordained by the Authority aforeſaid, That for the well and ſubſtantial thatching, wattling, and daubing of the ſaid Court-houſe, all and ſingular the unarmed Chriſtians and Men-negroes of the North Diviſion, or northward of *Briſkett*'s Bay in this Iſland, do, within One Week after the Forepart of the ſaid Work is done and finiſhed, repair unto the ſaid Houſe with good *Palmetto* Thatch and Wattles, ſufficient for to thatch and wattle the ſame, and that they daily follow the thatching, wattling, and daubing of the ſaid Houſe, until the ſame be well and ſubſtantially thatched, wattled, and daubed: And for the better and ſpeedier carrying on of the thatching, wattling, and daubing of the ſaid Houſe, Enſign *Tilman Van Vlerbe*, and Mr. *Nathaniel Jones*, with Serjeant *Robert Low*, and Corporal *Jaſper Jaſperſon*, are hereby firmly enjoined and appointed to be Overſeers of the ſaid laſt Work, and to ſee that the ſame be well and ſubſtantially done and finiſhed.

Penalty on Neglect. IV. AND it is further enacted and ordained by the Authority aforeſaid, That if any Chriſtians or Negroes ſhall, after due Notice given them to repair to the erecting, thatching, wattling, or daubing of the Houſe aforeſaid, neglect the doing of the ſame, then every Freeman ſo neglecting ſhall for every Day's Neglect pay unto the publick Uſe of this Iſland Twenty Pounds of Sugar, and be liable to ſuch Corporal Puniſhment as the Governor for the time being, or his Succeſſor, ſhall inflict on him or them ſo offending; and every Maſter of a Family, Twenty Pounds of Sugar, to the Uſe aforeſaid, for every Servant or Negro every ſuch Day's Neglect, and alſo every ſuch Servant or Negro to be liable to ſuch Corporal Puniſhment as the Governor for the time being, or his Succeſſor, ſhall inflict on him or them ſo offending, if of their own Will they do it, and if detained by the Maſter or Overſeer, then Forty Pounds of Sugar *per* Day, and to be paid by the ſaid Maſter.

Beacons to be built where Commander directs, V. AND laſtly, it is hereby enacted and ordained by the Authority aforeſaid, That forthwith, after due Publication hereof, Beacons be builded in this Iſland, in ſuch convenient Place, in each Diviſion, as the Commander or Commanders of ſuch Diviſions ſhall think moſt convenient; the ſaid Beacons to be firmly built with good Stone, if the Place or Places wherein ſuch Beacon or Beacons ſhall be builded be convenient, or otherwiſe the ſame to be built with good and ſubſtantial Wood or Timber; and if the ſaid Beacons, or any of them, ſhall be built with Stone, the Wall or Walls of them to be built Eight or Ten Foot high, and if with Timber, the Poſts thereof to be of the ſame Hight, as the Commander of the Diviſion where any ſuch Beacon or Beacons ſhall be built ſhall think fit.

and not to be ſet on fire, &c. VI. AND it is alſo enacted and ordained by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall wilfully or otherwiſe fire any ſuch Beacon or Beacons, unleſs upon juſt Cauſe, that is to ſay, upon the appearing of a Fleet of Shipping, or Perragoes of *Indians*, ſhall be liable to ſuch Fines and Penalties as in ſuch Caſes are provided by the Laws of *England*, &c.

An

1668.

An Act againſt all ſuch Perſons as neglect their Duty at Muſters, or are diſobedient to their Commanders, or are negligent in performing their Duty upon the Watch, or at Rendezvous, or in their March; and to prevent Perſons liſted in One Diviſion from removing into another, without lawful Notice given to their Commander; as alſo for making Proviſion for the raiſing of a Magazine in this Iſland. № 8. Re-enacted in 1693.

An Act for the ſpeedy building of a Town at Briskett's *Bay, in the Iſland aforeſaid.* № 9. Expired.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council, and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the Iſland aforeſaid:

An Act for ſettling of the Secretary's Fees, and Marſhal's Fees in the Iſland aforeſaid. № 10.

WHEREAS many Perſons, as well Foreigners as Inhabitants, may conceive the Secretary and Marſhal of the Iſland aforeſaid to uſe Extortion in taking of their Fees unto them really due, for what they ſhall do or cauſe to be done in due Execution of their Offices; for Prevention whereof, the Authority aforeſaid taking the ſame into their ſerious Conſideration, and being willing that every Perſon that ſhall have Occaſion in either Office may know certainly what Fees of Right belongeth unto the Secretary and Marſhal to be paid by every Perſon that ſhall employ either of them in Execution of either of their Offices, and for preventing of Extortion to be committed in either Office, be it enacted and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That the ſeveral Fees herein after mentioned to belong unto each Office, ſhall and are hereby eſtabliſhed and confirmed unto them the ſaid Secretary and Marſhal in each of their Offices, from and after the Ninth Day of *November* next enſuing the Date hereof, and to be paid by all Perſons that ſhall employ either of them, for, touch- Secretary and Marſhal's Fees to be ſettled.

1668. ing, or concerning any the Particulars mentioned in either of the ſaid Tables of Fees.

Tables of Fees to be ſet up in the publick Offices.

II. AND it is further enacted and ordained by the Authority aforeſaid, That the ſaid Tables of Fees be, with all convenient Expedition, fairly written forth and ſet up to publick View in the Secretary's Office of the Iſland aforeſaid, as alſo, that it is hereby left to the Diſcretion of the Secretary and Marſhal to truſt any Perſons that ſhall have Occaſion in either of their Offices for, touching, or concerning any Particular mentioned in either of the ſaid Tables of Fees, or what other Particulars touching their Offices, not in the ſaid Table of Fees mentioned: Provided always, That any Clauſe or Sentence in this Act ſhall not be any wiſe prejudicial to any of the Inhabitants of this Iſland who are inſolvent.

Secretary's Fees.

	lb. Tobac.
FOR entering a ſingle Action of Debt, *per* Bill or Accounts, and Trial,	007
For the Copy of the Order or Judgement of the ſaid Action,	004
For withdrawing the ſaid Action,	005
For Execution to the ſaid Action,	014
For a Warrant of Contempt,	014
For entring any dubious Action in Titles of Land, Performance of Contracts, drawing the Plea or Declaration to the ſaid Action, is whether the Plaintiff expoſe the Secretary to the drawing of thoſe Things or not, *&c.*	040
For writing the Execution to the ſaid Action,	014
For impanelling of a Jury, and returning of a Verdict in any ſuch the aboveſaid Actions,	060
For Copy of the Proceedings in the Jury Action,	030
For Chancery Bill drawing,	020
For Anſwer to the ſaid Bill,	020
For copying the Bill and Anſwer,	020
For a *Subpœna* to anſwer,	016
For the Oath to anſwer,	004
For a *Subpœna* to depoſe in the Cauſe,	006
For a Decree in Chancery,	020
For a Diſcontiuance of the Cauſe in Chancery,	020
For a Commiſſion of Rebellion, or Warrant of Contempt,	030
For a Commiſſion to examine Witneſs before Commiſſioners,	030
For a Replication to an Anſwer,	020
For a Rejoinder,	020
For a Demurrer,	020
For recording a plain Bill for Debt,	006
For recording and proving of a plain Letter of Attorney,	020
For a Depoſition,	010
For a Recognizance,	020
For Judgement for an Aſſault and Battery,	040
For an Indictment for Felony,	120
For a Special Warrant,	008
For diſcharging of a Recognizance,	020
For a Probate of a Will,	050
For Letters of Adminiſtration, and Bond,	100
For the Warrant of Appraiſement thereon,	020
For a Preſentment at the Seſſions,	008
For a Commiſſion or Reference to compoſe Differences,	020

	lb. Tobac.
For entering of Ship, Shallop, or other Veſſel, and taking Bond of Security,	050
For the Diſpatch of Ship tarrying here,	050
For a Licence of Trade to a Merchant, and recording the ſame	050
For a Licence to keep a Victualling and Tap-houſe, to be renewed every Three Months,	050
For a Special Attachment, or Warrant of Arreſt,	012
For a Warrant of Appraiſement upon Goods, after ſerved,	014
For a Warrant of Replevin,	006
For entering and publiſhing of Names to depart this Iſland in Fourteen Days, and Ticket to depart,	010
For Ticket for Security,	015

1668.

Marſhal's Fees.

	lb. Tobac.
FOR executing a Summons to appear to anſwer an Action to a Monthly Court or Seſſions,	012
For ſummoning a Jury for hearing the ſame, for ſwearing every Witneſs for Action Suit, for attending the Jury, and Verdict,	080
For ſerving an Execution,	030
For hearing of a Special Warrant upon Sight,	025
For ſerving of a *Subpœna*,	012
For ſerving of a Warrant of Arreſt againſt a Foreigner,	040
For ſerving a Warrant of Contempt,	030
For executing of a Commiſſion of Rebellion,	030
For ſerving of an Attachment,	020
For ſerving of a Replevin,	015
For executing a Writ of Poſſeſſion,	100
For a Priſoner entering into Cuſtody,	030
For diſcharging out of Cuſtody,	020
For every Day's Liberty to walk abroad with a Keeper,	020
For every Four and twenty Hours Impriſonment,	010
For diſcharging out of Cuſtody every Felon, every Breaker of the Peace, good Behaviour, or other Miſdemeanor,	160
For entering a Warrant of Outcry for Goods, Three *per Cent.*	

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, the Honourable Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the Iſland aforeſaid:

An Act againſt opprobrious Language. N° 11.

WHEREAS there are ſeveral ſcandalous and approbrious Perſons, who have no Reſpect for Government, nor the Perſons lawfully conſtituted for due adminiſtring of Juſtice and good Government in this Iſland;

1668. Iſland; which, in proceſs of Time, if not duly prevented, may, through their ſcandalous, ruinous, and opprobrious Speeches, over-ſhadow the good Government and Adminiſters of Juſtice in this Iſland with the ſtaple Clouds of Reproach and Infamy, contrary to the Peace of our Sovereign Lord the King, his Crown and Dignity, and to the great Damage and Diſcouragement of the publick Officers, not now only in this Iſland, but to all ſuch as for the future ſhall be thought fit, or choſen to bear publick Employ in this Iſland: For the Prevention whereof for the future, and puniſhing all thoſe as ſhall offend in the Premiſſes, be it enacted and ordained, and it

Penalty for opprobrious Language.

is hereby enacted and ordained by the Authority aforeſaid, That if, from and after the Firſt Day of *December* next enſuing the Date hereof, any Perſon or Perſons, either Inhabitant or Stranger, Inhabitants or Strangers, of what Degree or Quality ſoever, ſhall preſume, either by writing, verbally, or other Ways or Means, to ſcandalize or abuſe any of the Gentlemen of the Council in this Iſland, now or hereafter to be lawfully choſen, elected, and ſworn by the Governor for the time being, his Succeſſor or Succeſſors, ſhall for every Time ſo offending pay to the immediate or any future Treaſurer for this Iſland the full and juſt Quantity of Five thouſand Pounds of Sugar, or the Value thereof in Tobacco, Cotton, Wooll, or Indigo, for the publick Uſe of this Iſland; and if, in Manner and Form aforeſaid, any ſuch Inhabitant or Stranger, Inhabitants or Strangers, ſhall ſcandalize and abuſe any of the Gentlemen of the Aſſembly, or any other publick Officer or Officers in this Iſland, now or hereafter to be lawfully choſen, elected, and ſworn by the Governor for the time being, and his Council, or the ſeveral Inhabitants of this Iſland, ſhall for every Time ſo offending pay unto the Treaſurer aforeſaid, *&c.* the full and juſt Quantity of Five hundred Pounds of Sugar, or the Value thereof in Tobacco, Cotton, Wooll, or Indigo, to the Uſe aforeſaid; but if he or ſhe ſo offending in the Premiſſes ſhall not be of a Capacity to ſatisfy his, her, or their Fine aforeſaid, then he, ſhe, or they ſhall be liable to ſtand to, and abide ſuch Corporal Puniſhment that the immediate Governor and Council of the Iſland aforeſaid, or their Succeſſors, ſhall inflict upon any ſuch Offender or Offenders: Provided always, and the true Intent and Meaning of the Authority aforeſaid, and this Act, is, That upon no Pretence or Allegation, Equivocation, or mental Reſervation whatſoever, any ſuch Perſon or Perſons ſo offending in the Premiſſes, and being lawfully convicted thereof before the immediate Governor, or any Two of the Council, or any One Juſtice of the Peace, lawfully commiſſionated in this Iſland, their Succeſſor or Succeſſors, by the lawful Oath of One or Two credible Witneſſes, ſhall be exempted from paying any of the Fines aforeſaid, and, if not of Ability to ſatisfy the ſame, from any ſuch Corporal Puniſhment that ſhall be on he, ſhe, or they ſo offending in Manner and Form aforeſaid inflicted; any Law, Uſage, or Cuſtom in this Iſland to the contrary thereof in any wiſe notwithſtanding.

II. And whereas alſo there are ſeveral Perſons of his Majeſty's Subjects of his Three Nations, that is to ſay, *England*, *Scotland*, and *Ireland*, reſiding in this Iſland, and oftentimes, as well in Drink as ſober, certain Words of Diſtinction do ariſe between his Majeſty's Subjects of the ſaid Three Nations, as *Engliſh* Dog, *Scott's* Dog, Tory, *Iriſh* Dog, Cavalier, and Roundhead, and many other opprobrious, ſcandalous, and diſgraceful Terms, to the Breach of his Majeſty's Peace, *&c.* and by certain Quarrels that may ariſe by reaſon of ſuch ill Language by the ſeveral Natives of the ſaid Three Nations, to the endangering the Loſs of the Lives of many of his Majeſty's good Subjects of the Three Nations, which now are or hereafter ſhall be remaining, inhabiting, or abiding on this his Majeſty's Iſland of *Montſerrat*; the Authority aforeſaid therefore, taking the ſame into their ſerious

ſerious Conſideration, and being willing, with all Expedition to prevent all the Inconveniencies, as Murders, Riots, Routs, Aſſaults, Batteries, and unlawful Aſſemblies that may happen in this Iſland, to the Breach of his Majeſty's Peace, and Deſtruction of his Majeſty's good Subjects here likewiſe, ſhould ſuch Terms of Diſtinction be ſuffered between the Natives of the Three Kingdoms, do therefore enact and ordain, and be it hereby enacted and ordained by the Authority aforeſaid, That if from and after the Firſt Day of *December* herein before mentioned, any Perſon or Perſons, Stranger or Inhabitant, Strangers or Inhabitants, of what Quality or Degree ſoever, ſhall preſume to uſe, utter, or declare any of the Terms of Diſtinction afore mentioned, or any other ſcandalous or opprobrious Terms, of, in, or to any of his Majeſty's Subject or Subjects of the aforeſaid Three Kingdoms, or to any other Natives living under his Majeſty's Peace in this Iſland; he, ſhe, or they ſo offending ſhall be proceeded againſt as Violaters and Breakers of his Majeſty's Peace in this Iſland, and ſtand to and abide all ſuch Fines, Penal or Corporal Puniſhments, as ſhall be impoſed and inflicted upon every ſuch Offender or Offenders by the Governor and Council for the time being, or their Succeſſors; but if it ſhall happen that any Affrays, Murders, Bloodſheds, Riots, Routs, or unlawful Aſſemblies ſhall be had, made, or ſtirred up in this Iſland, by reaſon of any ſuch Word or Words of Diſtinction before mentioned, or any other, the Perſon or Perſons who ſhall, by Two credible Witneſſes upon Oath, be proved to be the Cauſe thereof, be proceeded againſt as a Mutineer or Mutineers, and Perturbators and Diſturbers of his Majeſty's Peace, *&c.* in this his Majeſty's Iſland of *Montſerrat*, in ſuch Manner and Form as uſually Mutineers are by Law proceeded againſt; any Law, Uſage, or Cuſtom of this Iſland to the contrary thereof, formerly had, uſed, or made, in any wiſe notwithſtanding.

1668.

Penalty on Party-words of Diſtinction.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council, and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the ſaid Iſland of *Montſerrat*:

An Act to prevent the Trouble of Jurors in Actions not exceeding One thouſand Pounds of Sugar.

№° 12.

WHEREAS ſeveral turbulent and troubleſome Perſons, which are not only reſiding on this Iſland as Inhabitants on this Iſland, but ſuch as came here to traffick as Merchants, or otherwiſe, do take ſeveral Bills for Payment for what they vend here, as alſo Obligations for what private Contracts they agree for in and upon this Iſland; and many ſuch contracted Debts here, although amounting but to inconſiderable Quantities of the Produce of this Iſland, yet, if a Difference ariſeth touching the ſame, the Parties whom ſuch Debts or Contracts doth concern will be ready (before the ſame be determined) to put the Country to the Trou-

1668. ble of having the ſame periated by a Jury of Freeholders here, to the great Damage of the Inhabitants, and much Trouble to the Governor of this Iſland, and his Council: For remedying whereof for the future, it is therefore enacted and ordained, and be it enacted and ordained by the Authority aforeſaid, That from and after Publication of this Act it ſhall not be lawful for any Perſon or Perſons, now or hereafter reſiding on this Iſland, either as Inhabitant or Foreigner, to have a Trial for any Debt or Debts, Contract or Contracts made upon this Iſland by him or them, by a Jury of Twelve Freeholders of this Iſland in any of the Courts of Record in this Iſland, except his or their Debt or Debts, Contract or Contracts (beſides Penalties) *bona fide*, amount unto the full and juſt Quantity or Value of One thouſand Pounds of Sugar, or more, and that the Defendant in any ſuch Action agrees and conſents to have the ſame tried by ſuch Jurors.

Small Actions not to be tried by Jury, without Defendant's Conſent.

II. AND it is further enacted and ordained by the Authority aforeſaid, That all ſuch Action or Actions to be commenced under the Value or Quantity of the ſaid One thouſand Pounds of Sugar, ſhall and may remain in the Judgement of the Governor for the Time being, or his Succeſſor, his or their Council, or, if the Governor and Council pleaſe, in the Judgement of the Juſtice of Peace, *&c.* where ſuch Debt or Debts, Contract or Contracts were had or made, for to give Judgement in, or fully determine the ſame by way of Arbitration or otherwiſe.

Actions under 1000 *lb.* of Sugar, may be determined by Arbitration.

III. AND it is further enacted by the Authority aforeſaid, That whatſoever Perſon that ſhall crave a Jury when his Action exceedeth the Sum of One thouſand Pounds of Sugar, or its Value, when the ſame Court hath not ſo many Jury-actions as will defray the Expence and Trouble of Secretary and Marſhal, for Entertainment of the Jurors; that then the Perſon or Perſons ſo requiring and obtaining ſuch Jury, ſhall ſatisfy and ſalve the ſaid Secretary and Marſhal, for ſuch their Diſbourſements and Troubles in that Caſe, with Profit at Ten *per Cent*.

Where a Perſon craving a Jury, ſhall be at the Charge.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council, and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the Inhabitants of the ſaid Iſland:

1669. N° 13. *An Act touching the Merchants ſelling of Liquors; and that the Keepers of Tap-houſes do not exact in ſelling of their Liquors for Money*, &c.

WHEREAS there are ſeveral Merchants and others, reſiding and trading upon this Iſland, that do retail Liquors upon the ſame, to the great Hindrance of the Inhabitants; and to prevent the ſame for the future, ti is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That all ſuch Merchants or others as have any Liquors to ſell in this Iſland, or which ſhall tranſport any unto the ſame for the future, ſhall not ſell by retail any leſſer Quantity of

Merchants to retail not leſs than 3 Gallons of Liquors at a time,

of the ſaid Liquors than Three Gallons at a time of any Sort thereof, to any Perſon or Perſons, he, ſhe, or they inhabiting, or which hereafter ſhall be inhabiting or reſiding upon the ſaid Iſland: And any Merchant or Merchants, or others, that ſhall, after Publication of this Act, preſume to retail any Liquors under Three Gallons at each time, as aforeſaid, either directly or indirectly, ſhall for every Time ſo offending forfeit One thouſand Pounds of good Sugar, the ſame to be immediately levied upon his, her, or their Goods or Merchandize; the one Moiety thereof for him, her, or them that ſhall truly inform, and the other to be for the publick Uſe and Benefit of the aforeſaid Iſland, to be employed for the publick Uſe thereof, as the Governor of the ſame for the time being ſhall think convenient. Always provided, That the Keepers of Houſes of Entertainment or Tap-houſes, are not within the Compaſs of the foregoing Part of this Act; any Law, Uſage, or Cuſtom heretofore had or made in this Iſland to the contrary hereof in any wiſe notwithſtanding.

1669.

on Penalty of 1000 *lb.* of Sugar.

This Act not to affect Publicans.

II. And whereas the Keepers of common Houſes of Entertainment, or Tap-houſes in this Iſland, are very much complained of by the Inhabitants and Strangers, in that they do unreaſonably exact in ſelling their Liquors for Money; and that there may be no ſuch Exaction uſed hereafter, it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That all Perſon or Perſons, he, ſhe, or they, who are Keepers of Houſes of Entertainment or Tap-houſes, that ſhall, after Publication of this Act, preſume to ſell his, her, or their Liquors at other Rates than is allowed by this Act, and is here under mentioned, ſhall for every time ſo offending be fined One thouſand Pounds of good Sugar, the one Moiety thereof to be for him, her, or them that ſhall truly inform, and the other Moiety to and for the publick Uſe of the aforeſaid Iſland, to be employed for the Uſe and Defence of the ſame, as the Governor of the ſaid Iſland for the time being ſhall think fit.

Penalty for ſelling above the under mentioned Rates.

	s.	*d.*	
For Beer,	1	0	*per* Gallon.
For *French* Wine of all ſorts,	2	0	
For *French* Brandy,	6	0	
For good *Madera*,	4	0	
For right Canary,	6	0	
For Mum,	1	4	
For a Bowl of Punch made with One Quart of Brandy,	2	6	
For a Bowl of Punch made with One Quart of Rum,	2	0	

III. And it is alſo enacted and ordained by the Authority aforeſaid, That if any of the ſaid Keepers of Houſes of Entertainment, or Tap-houſes in the ſaid Iſland, he, ſhe, or they do refuſe to ſell his, her, or their Liquors at the Rates before ſpecified, ſhall for every time ſo offending be fined as aforeſaid, and in like Manner, and likewiſe loſe their or any of their Licences; any thing herein contained to the contrary in any wiſe notwithſtanding.

Penalty for refuſing to ſell at the above Rates.

By

1668. ble of having the ſame periated by a Jury of Freeholders here, to the great Damage of the Inhabitants, and much Trouble to the Governor of this Iſland, and his Council: For remedying whereof for the future, it is therefore enacted and ordained, and be it enacted and ordained by the Authority aforeſaid, That from and after Publication of this Act it ſhall not be lawful for any Perſon or Perſons, now or hereafter reſiding on this Iſland, either as Inhabitant or Foreigner, to have a Trial for any Debt or Debts, Contract or Contracts made upon this Iſland by him or them, by a Jury of Twelve Freeholders of this Iſland in any of the Courts of Record in this Iſland, except his or their Debt or Debts, Contract or Contracts (beſides Penalties) *bona fide*, amount unto the full and juſt Quantity or Value of One thouſand Pounds of Sugar, or more, and that the Defendant in any ſuch Action agrees and conſents to have the ſame tried by ſuch Jurors.

Small Actions not to be tried by Jury, without Defendant's Conſent.

II. AND it is further enacted and ordained by the Authority aforeſaid, That all ſuch Action or Actions to be commenced under the Value or Quantity of the ſaid One thouſand Pounds of Sugar, ſhall and may remain in the Judgement of the Governor for the Time being, or his Succeſſor, his or their Council, or, if the Governor and Council pleaſe, in the Judgement of the Juſtice of Peace, *&c.* where ſuch Debt or Debts, Contract or Contracts were had or made, for to give Judgement in, or fully determine the ſame by way of Arbitration or otherwiſe.

Actions under 1000 *lb.* of Sugar, may be determined by Arbitration.

III. AND it is further enacted by the Authority aforeſaid, That whatſoever Perſon that ſhall crave a Jury when his Action exceedeth the Sum of One thouſand Pounds of Sugar, or its Value, when the ſame Court hath not ſo many Jury-actions as will defray the Expence and Trouble of Secretary and Marſhal, for Entertainment of the Jurors; that then the Perſon or Perſons ſo requiring and obtaining ſuch Jury, ſhall ſatisfy and ſalve the ſaid Secretary and Marſhal, for ſuch their Diſbourſements and Troubles in that Caſe, with Profit at Ten *per Cent*.

Where a Perſon craving a Jury, ſhall be at the Charge.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council, and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the Inhabitants of the ſaid Iſland:

1669. N° 13. *An Act touching the Merchants ſelling of Liquors; and that the Keepers of Tap-houſes do not exact in ſelling of their Liquors for Money*, &c.

WHEREAS there are ſeveral Merchants and others, reſiding and trading upon this Iſland, that do retail Liquors upon the ſame, to the great Hindrance of the Inhabitants; and to prevent the ſame for the future, ti is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That all ſuch Merchants or others as have any Liquors to ſell in this Iſland, or which ſhall tranſport any unto the ſame for the future, ſhall not ſell by retail any leſſer Quantity of

Merchants to retail not leſs than 3 Gallons of Liquors at a time,

1669.

of the ſaid Liquors than Three Gallons at a time of any Sort thereof, to any Perſon or Perſons, he, ſhe, or they inhabiting, or which hereafter ſhall be inhabiting or reſiding upon the ſaid Iſland: And any Merchant or Merchants, or others, that ſhall, after Publication of this Act, preſume to retail any Liquors under Three Gallons at each time, as aforeſaid, either directly or indirectly, ſhall for every Time ſo offending forfeit One thouſand Pounds of good Sugar, the ſame to be immediately levied upon his, her, or their Goods or Merchandize; the one Moiety thereof for him, her, or them that ſhall truly inform, and the other to be for the publick Uſe and Benefit of the aforeſaid Iſland, to be employed for the publick Uſe thereof, as the Governor of the ſame for the time being ſhall think convenient. Always provided, That the Keepers of Houſes of Entertainment or Tap-houſes, are not within the Compaſs of the foregoing Part of this Act; any Law, Uſage, or Cuſtom heretofore had or made in this Iſland to the contrary hereof in any wiſe notwithſtanding.

on Penalty of 1000 *lb.* of Sugar.

This Act not to affect Publicans.

II. And whereas the Keepers of common Houſes of Entertainment, or Tap-houſes in this Iſland, are very much complained of by the Inhabitants and Strangers, in that they do unreaſonably exact in ſelling their Liquors for Money; and that there may be no ſuch Exaction uſed hereafter, it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That all Perſon or Perſons, he, ſhe, or they, who are Keepers of Houſes of Entertainment or Tap-houſes, that ſhall, after Publication of this Act, preſume to ſell his, her, or their Liquors at other Rates than is allowed by this Act, and is here under mentioned, ſhall for every time ſo offending be fined One thouſand Pounds of good Sugar, the one Moiety thereof to be for him, her, or them that ſhall truly inform, and the other Moiety to and for the publick Uſe of the aforeſaid Iſland, to be employed for the Uſe and Defence of the ſame, as the Governor of the ſaid Iſland for the time being ſhall think fit.

Penalty for ſelling above the under mentioned Rates.

	s.	*d.*	
For Beer,	1	0	*per* Gallon.
For *French* Wine of all ſorts,	2	0	
For *French* Brandy,	6	0	
For good *Madera*,	4	0	
For right Canary,	6	0	
For Mum,	1	4	
For a Bowl of Punch made with One Quart of Brandy,	2	6	
For a Bowl of Punch made with One Quart of Rum,	2	0	

III. And it is alſo enacted and ordained by the Authority aforeſaid, That if any of the ſaid Keepers of Houſes of Entertainment, or Tap-houſes in the ſaid Iſland, he, ſhe, or they do refuſe to ſell his, her, or their Liquors at the Rates before ſpecified, ſhall for every time ſo offending be fined as aforeſaid, and in like Manner, and likewiſe loſe their or any of their Licences; any thing herein contained to the contrary in any wiſe notwithſtanding.

Penalty for refuſing to ſell at the above Rates.

By

1669. By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council, and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the ſaid Iſland:

№ 14. *An Act for paying of Tobacco in Leaf*, &c.

WHEREAS there hath been a very bad Cuſtom heretofore in this Iſland by the Inhabitants, touching their making of Tobacco up in Rolls, and the Care they uſed in the ſame being not ſo, as that thereby they have given Cauſe to ſeveral Merchants and others trading in or about this Iſland to eſteem of the ſame, but contrarywiſe have thereby occaſioned that many, heretofore accuſtomed to trade here, do clearly give over their wonted Cuſtoms, and reſolve that they will for the future uſe other Iſlands, to the great Damage and Hindrance of many of the Inhabitants, unleſs Courſe be taken for Prevention of the ſame; it is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That after Publication of this Act, all Manner of Perſon or Perſons in or upon the ſaid Iſland, or which hereafter ſhall be or abide upon the ſame, that ſhall have any Tobacco to pay unto Merchants or others, for his, her, or their Debt or Debts, or for any Goods heretofore bought or hereafter to be bought from any of the aforeſaid Merchants, or others, ſhall pay the ſame in Leaf, unleſs that he, ſhe, or they can agree with thoſe that they are ſo indebted unto, or have dealt with, or ſhall deal with, to receive the ſame in Rolls, and the ſeveral Quantities of Tobacco ſo to be paid by them, or any of them, to be made up in Bundles; and any ſuch Perſon or Perſons, he, ſhe, or they, that ſhall preſume to make up any Tobacco in Roll or Rolls without firſt agreeing with the Merchant or Merchants, or any others, he, ſhe, or they unto which the ſame ought to be paid, ſhall forfeit the ſame; the Moiety thereof to the Informer or Informers, and the other Moiety to the publick Treaſurer of the ſaid Iſland, for the publick Uſe of the ſame, to be employed as the Governor for the time being ſhall think fit.

Tobacco to be paid in Leaf, unleſs otherwiſe agreed.

II. IT is alſo enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That the Perſons here under-named be impowered by this Act as Viewers of all ſuch Tobacco as ſhall be made now or hereafter in the aforeſaid Iſland; the ſaid Viewers to be ſworn, and to be obliged to give their Attendance at ſuch convenient Place or Places near the Sea Side, on any Complaint or Complaints made by any of the Merchants, or others, unto them or any one of them, in the Diviſion they or any of them are appointed for, and the ſaid Viewers to be paid Two Pounds *per Cent.* in *Specie*, by the Payer and Receiver, equally betwixt them for their Trouble ſo taken.

Viewers to be ſworn.

For the Northward Diviſion;

Nathaniel Jones, *and* John Davis.

For the Middle Diviſion; *that is, from the* Old Road *to* Douſe's Gut;

Lieutenant Turllo Caffry, *Maſter* William Godfry, *Serjeant* Thomas Drinkall, *and* John Buttler.

For

1669.

For the White River Cove, *and* Palmeto Point;

Enſign Thomas Mansfeld, *Enſign* John Cormick, Edmond Walſh *ſenior*, *and* Cornelius Brian.

For the Windward Diviſion;

Lieutenant John Sharpe, *Enſign* William Knowles, Daniel Dawly, *and* Samuel Potter.

III. AND it is further enacted and ordained, and be it enacted and ordained by the Authority aforeſaid, That if in caſe the Receiver or Receivers of ſuch Tobacco have not juſt Occaſion of Complaint unto the Viewers, or any One of them, that then they or any of them who ſhall ſo complain ſhall be at the Charge of employing them, or any One of them; and where any Tobacco, either in Leaf or in Rolls, ſhall be found inſufficient, or not fit to be paid, the ſame ſhall be burned forthwith, at the Charge of the Payer thereof, and he, ſhe, or they liable to pay the Viewer or Viewers of the ſame, according to Two Pounds *per Cent*.

Litigious Complainers to be at the Charge.

Penalty on paying bad Tobacco.

IV. AND it is likewiſe enacted and ordained by the Authority aforeſaid, That any ſuch Viewer or Viewers as ſhall not repair unto any ſuch convenient Place or Places, for which by this Act they are appointed, upon Complaint made unto them, or any One of them, ſhall for every ſuch Offence pay Two hundred Pounds of Sugar to the publick Treaſurer of this Iſland, for the publick Uſe thereof; the One Moiety to be for the Informer or Informers, and the other Moiety to and for the publick Good of the ſaid Iſland, to be employed as the Governor of the ſame for the time being ſhall think convenient.

Penalty on Viewers Neglect of Duty.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, his Council, and the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the Iſland aforeſaid:

An Act for planting of Proviſions, and diſannulling of Writings made out of the Secretary's Office. N° 15.

WHEREAS there hath been of late a general Complaint over the whole Iſland of the great want of Proviſion, and the Cauſe thereof being by the general Neglect of the Inhabitants, notwithſtanding they alledge the Cauſe to be occaſioned by the late Hurricane; and the Authority aforeſaid taking the ſame into Conſideration, and that there may be a Courſe taken to prevent any ſuch Occaſion for the future, it is therefore enacted and ordained by the Authority aforeſaid, and be it hereby enacted and ordained, That, after the Publication of this Act, all Maſters of Fami-

1669. Directions for planting Proviſions.

lies living or reſiding on this Iſland, ſhall plant or cauſe to be planted One Acre of Proviſion for every Two working Perſons, Whites or Blacks, in their or any of their Families (that is to ſay) Potatoes or Caſſad' or both, and always to be ſo provided with the like Quantity of the ſame, to be kept clean and in good Order; and that the Perſons here under-named be ſtrictly enjoined to uſe their beſt Care and Endeavour, as Overſeers in the ſeveral Diviſions as they are hereafter named and appointed, to ſee that Courſe and Care be taken as aforeſaid, for the future Good of this Iſland, and the Inhabitants thereof.

For the North Diviſion;

Serjeant Major John Sutton, *and Serjeant Major* Thomas Caines.

For White River Cove, *and* Palmeto Point *Diviſion*;

Captain John Cormick, *and Captain* David Gallwey.

For the Middle Diviſion;

Colonel Nathaniel Reade, *and Captain* Daniel Jones.

For the Windward Diviſion;

Peter Cove *Eſquire*, *and Mr.* John Sayer.

Further Directions.

II. AND it is alſo enacted and ordained by the Authority aforeſaid, That every Maſter or Miſtreſs, Maſters or Miſtreſſes of a Family in the ſaid Iſland, ſhall for every Six working Slaves plant or cauſe to be planted One Acre of Yams, and thoſe that have leſs than that Number, to plant proportionably, and likewiſe for every Four working Slaves, One Acre of Corn, upon the Penalty of Fifty Pounds of Sugar *per* Head, recoverable from the Maſter or Miſtreſs, Maſters or Miſtreſſes of any ſuch Family or Families, where there ſhall be any Neglect in the Performance hereof, and he, ſhe, or they to be impriſoned, there to abide until the ſaid Fine of Fifty Pounds of good Sugar *per* Head be paid, or the Value thereof in any of the Staple Commodities of this Iſland, unto the publick Treaſurer of the ſame, to be employed as the Governor of the ſaid Iſland ſhall think fit.

Penalty on the Negligence of Overſeers.

III. AND it is further enacted and ordained by the Authority aforeſaid, That the Overſeers before named, or any or either of them that ſhall be proved to be any ways backward or ſlack in the Execution of their or any of their Parts, as by this Act they are enjoined, ſhall for every ſuch Offence be liable to pay unto the publick Treaſurer, as aforeſaid, for the publick Uſe of the aforeſaid Iſland, the juſt and full Quantity of Five hundred Pounds of good Sugar, the ſame to be employed on the publick Account of the ſaid Iſland, as to the Governor of the ſame for the time being ſhall ſeem meet.

IV. AND whereas it is evidently known, that there are daily Abuſes committed in this Iſland by ſeveral Perſons, who preſume of themſelves to take upon them to draw ſeveral Inſtruments of Writing betwixt the Inhabitants thereof, to the great Trouble of the ſaid Inhabitants, and more eſpecially to the Governor of this Iſland, and the ſeveral Juſtices of the Peace; it is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That, after Publication of this Act, all Manner of Writings, made in or upon this Iſland by the Inhabitants, touching their

or

or any of their Occaſions, as Tickets, Warrants, Depoſitions, Patents, Articles of Agreement, *&c.* except only Bills, Obligations, or Acquittances that ſhall not be made in the Secretary's Office of the ſaid Iſland, by him or his Subſtitute, or by and with his Allowance, ſhall be of no Effect; and the Party or Parties who ſhall preſume, contrary to the true Intent and Meaning of this Act, to draw any ſuch Writings, except as before excepted, ſhall be liable to be fined as the Governor of the aforeſaid Iſland ſhall ſee convenient. 1669. Tickets, *&c.* to be made in the Secretary's Office.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the aforeſaid Iſland:

An Act for reducing the Trade of this Iſland into three certain Towns in the ſame; and for Encouragement of thoſe who ſhall bring any foreign Coin into this Iſland.

1670. N° 16.

WHEREAS the Authority aforeſaid have thought it needful and neceſſary that the Trade of the Iſland aforeſaid ſhould be reduced into certain Places in the ſame, that thereby a competent Number of Men might be the ſpeedier gotten in a readineſs, if any Invaſion ſhould happen; and that thoſe Places might be known; it is therefore enacted and ordained by the Authority aforeſaid, and be it hereby enacted and ordained, That from and after the Publication of this Act, the ſeveral Places hereafter nominated and expreſſed, be appointed for the Trade of this Iſland (to ſay) The Town of *Briſket*'s *Bay*, according to an Act to that Purpoſe already made and provided, the New Fort, uſually known by the Name of *Kingſale*, to begin at the *Fort Gut*, and ſo unto the Brow of the Clift below the former Dwelling-houſe of Captain *Andrew Booth*, *Plymouth* to begin at the *Church Gut* of St. *Anthony*'s, and ſo to the North-weſt Bounds of *John Slichon*'s Land. Trading Towns named.

II. AND it is hereby enacted and ordained by the Authority aforeſaid, That after Publication of this Act, any Perſon or Perſons, he, ſhe, or they that ſhall import any Goods, Wares, or Merchandize, of what Nature or Quality ſoever, into this Iſland, and ſhall vend or ſell the ſame, or any Part thereof, unto any of the Inhabitants, or others, in and upon this Iſland, but in the ſeveral Places or Towns heretofore nominated and expreſſed by this Act, or in any or either of them, ſhall forfeit all ſuch Goods, *&c.* which he, ſhe, or they ſhall ſo import contrary to the true Intent and Meaning of the Authority aforeſaid, and this Act, and alſo to be fined Two thouſand Pounds of good *Muſcovado* Sugar; the One Half thereof to the Informer or Informers, and the other Half to the publick Uſe of the aforeſaid Iſland; any Law, Uſage, or Cuſtom heretofore in this Iſland to the contrary notwithſtanding. Penalty on bringing Goods to ſell in other Places.

III. AND whereas the Authority aforeſaid have ſeriouſly conſidered the great Neceſſity of Money in the aforeſaid Iſland, and to encourage all ſuch Perſon

1670.

Perſon or Perſons that ſhall for the future bring any Sum or Sums of foreign Coins into the Iſland aforeſaid, or any others at preſent on the ſaid Iſland that have any Deſire to diſtribute any foreign Coins which any of them have in and upon this Iſland, it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That for the future all Monies of the King of *Spain*'s Coins ſhall paſs and be received by all Manner of Perſons reſiding on this Iſland, or which hereafter ſhall come unto the ſame, at the full Allowance hereafter ſignified and expreſſed (that is to ſay) Every *Seville*, *Mexico*, or *Piller* Pieces of Eight at Six Shillings the Piece, and every old *Peru* and new at Five Shillings the Piece, and Half Pieces, and Quarter Pieces proportionably, and all other foreign Coins proportionably; and all *New England* Monies at its full Value, as it paſſes in *New England*.

Currency of Coins.

IV. It is laſtly enacted and ordained by the Authority aforeſaid, That any Perſon or Perſons, he, ſhe, or they, living, reſiding, or frequenting in and upon the aforeſaid Iſland, or which hereafter ſhall be upon the ſame, that ſhall for the future refuſe to receive any of the aforeſaid expreſſed Money or Coins at the full Allowance ſignified by this Act, ſhall for every time ſo refuſing be fined One thouſand Pounds of good *Muſcovado* Sugar; the third Part thereof for him, her, or them who ſhall truly inform, and the other two third Parts to and for the publick Uſe and Benefit of the aforeſaid Iſland.

Penalty on Perſons oppoſing the Currency.

By the Honourable Colonel *William Stapleton*, Governor of the aforeſaid Iſland, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the ſaid Iſland:

№ 17. *An Act for reſtraining the Liberty of Negroes, and to prevent the running away of Chriſtian Servants,* &c.

WHEREAS there is a general Complaint in this Iſland of the Liberty that Negroes do aſſume unto themſelves, in going from One Plantation to another on the Sabbath-day, and on other Days and Nights, by Means whereof many of the Inhabitants of the Iſland aforeſaid are much prejudiced: And whereas many Freemen and Chriſtian Servants are accuſtomed to combine with Negroes in running away from the ſaid Iſland, and the Authority aforeſaid taking the ſame into Conſideration, and that ſpeedy Courſe may be taken for Prevention of ſuch Abuſes; it is therefore enacted and ordained by the Authority aforeſaid, and be it hereby enacted and ordained, That for the future all Owners of Negro or Negroes in or upon this Iſland, or Overſeers or others, that ſhall have any ſtrange Negro or Negroes come unto his or their Plantation, either by Day or by Night, on Pretence of any lawful Occaſions, and any ſuch Negro or Negroes that ſhall loiter after Notice given unto him, her, or them to repair unto his or their Maſter, Owner, or Overſeer, the Owner or Owners, Overſeer or Overſeers of any ſuch Plantation, where any ſuch Negro or Negroes, or any other Slave or Slaves ſhall ſo loiter, ſhall forthwith take any ſuch loitering or runaway Slave,

Loitering Slaves to repair to their Maſters on the firſt Notice given them,

Slave, and puniſh him, her, or them, and ſend them home unto the Owners thereof; and all ſuch Negro or Negroes, or Slaves, as ſhall conceal, harbour, entertain, relieve, or ſuccour any ſuch Loiterer or Loiterers in his or their Cabbin or Cabbins, ſhall be by the Owner or Owners, or Overſeers of any ſuch Concealer or Concealers, *&c.* forthwith taken before the next Juſtice of the Peace in this Iſland, and there, in the Preſence of the ſaid Juſtice, exerciſe the Puniſhment of Forty Laſhes upon him or them that ſhall ſo conceal, *&c.* any ſuch Negro or Negroes, or any other Slave or Slaves; and all ſuch Owners or Overſeers as ſhall neglect ſo to do, ſhall, upon Proof thereof, be fined Five hundred Pounds of good *Muſcovado* Sugar, to and for the Uſe of the Publick of the aforeſaid Iſland; any Uſage or Cuſtom in this Iſland to the contrary in any wiſe notwithſtanding. 1670.

on Penalty of 40 Laſhes.

Penalty on Owners Neglect.

II. It is alſo enacted and ordained by the Authority aforeſaid, That any Freeman that ſhall combine with any Slave or Slaves to run away in or upon the aforeſaid Iſland, or from the ſame, ſhall, for every time ſo offending, forfeit unto the publick Uſe of this Iſland One thouſand Pounds of good *Muſcovado* Sugar, or in lieu thereof ſerve Twelve Months; and any Chriſtian Servant or Servants that ſhall be guilty of the like Offence ſhall double his or their Time or Times that they or any of them ſhall have to ſerve; and ſuch Servant or Servants, he, ſhe, or they that ſhall take any other Way or Ways of running away, ſhall ſerve his or their Owner or Owners for every Day's Abſence One Week, and for every Week a Month, and for every Month a Year, or ſuffer ſuch Puniſhment as ſhall be by the Direction of any of the Juſtices of the Peace in this Iſland inflicted on any ſuch runaway Servant or Servants; any thing herein contained to the contrary in any wiſe notwithſtanding.

Penalty on Freemen combining with Slaves to run from their Owners; and on Chriſtian Servants guilty of the like Offence.

An Act for the repairing the Highways in the aforeſaid Iſland, and for keeping them ſo. № 18. Expired.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the ſaid Iſland:

An Act touching ſuch as ſhall buy any Sorts of Liquors on board any Ships or other Veſſels in this Iſland, and againſt thoſe who ſhall ſell any Liquors in or upon this Iſland without Licence. № 19.

WHEREAS the Authority aforeſaid have conſidered that there have been many of the Inhabitants of the Iſland aforeſaid that have bought Quantities of Liquors from on board Ships and other Veſſels coming

1670.

ing unto this Iſland, pretending, as Inhabitants, that they are no ways obliged to pay the Duty or Impoſt thereof, as the Importers are obliged to do, according to an Act already to that Purpoſe made and provided; by occaſion of ſuch Pretences the publick Stock of this Iſland hath been much leſſened; and to prevent any ſuch Pretences for the future, it is enacted and ordained by the Authority aforeſaid, and be it hereby enacted and ordained, That all ſuch Perſon or Perſons that ſhall, after Publication of this Act, buy or procure from on board any Ship or other Veſſel or Veſſels coming or trading unto the Iſland aforeſaid any Liquors, of what Sort ſoever, and ſhall land the ſame in and upon this Iſland for their or any of their proper Uſes, ſhall be liable to the Duty thereof, to and for the publick Uſe of the Iſland aforeſaid, to be received by the publick Treaſurer for the time being; and any Liquors that ſhall be landed in and upon this Iſland by any of the Inhabitants thereof, and no Entry made thereof in the Secretary's Office of the ſaid Iſland, before the landing the ſame, ſhall be forfeited, the third Part of the ſaid Liquors to the Uſe of him who ſhall ſeize the ſame, and the other two third Parts to and for the publick Uſe of the aforeſaid Iſland, to be employed as the Governor of the ſaid Iſland ſhall think convenient; any Law, Uſage, or Cuſtom heretofore had or made in this Iſland to the contrary in any wiſe notwithſtanding.

All Liquors landed in this Iſland to pay Duty.

II. AND whereas there are daily Abuſes committed in this Iſland by means of ſuch as do preſume to ſell Liquors without Licence, and that courſe may be taken to prevent the ſame, it is enacted, and be it hereby enacted and ordained by the Authority aforeſaid, That any Perſon or Perſons, he, ſhe, or they, as well Merchants as any others, that ſhall, after Publication of this Act, diſpoſe of any manner of Liquors in and upon this Iſland by retail, or otherwiſe, before Licence firſt had and obtained from the Governor of this Iſland for the time being, certified under his Hand to that Purpoſe, ſhall be fined for every time ſo offending contrary to the true Intent and Meaning of this Act, One thouſand Pounds of good *Muſcovado* Sugar, two third Parts thereof to and for the publick Uſe of the aforeſaid Iſland, and the other third Part for him, her, or them that ſhall truly inform, beſides the Loſs of all ſuch Liquors as ſhall be any wiſe found in the Cuſtody of any ſuch Perſon or Perſons, he, ſhe, or they, at the time ſo offending, or which ſhall be proved to have been in the Poſſeſſion of any ſuch unlicenſed Perſon or Perſons, he, ſhe, or they, at any time that ſuch Information ſhall be given, the ſaid Liquors to be diſtributed in Manner and Form as the ſaid Fine of One thouſand Pounds of Sugar ought to be diſtributed: Always provided, and the true Intent and Meaning of the Authority aforeſaid, and this Act, is, That all Perſon or Perſons which ſhall make Rum in and upon this Iſland, ſhall be excepted and ſet free from the latter Clauſe of this Act; but the tippling Houſes are not to be exempted, who are to ſuffer the Penalty or Penalties mentioned in this Act.

Penalty on ſelling Liquors without Licence.

Proviſo.

By

1670.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the ſaid Iſland:

An Act to prevent the Abuſe committed by paying of ſuch Indigo and Sugar as are not fit to be received; and that the Sugars made in and upon this Iſland ſhall not paſs under the Rates in this Act mentioned. No. 20.

WHEREAS there is a general Complaint of the Inſufficiency of Indigo and Sugar made in and upon this Iſland by the Inhabitants, to the very great Abuſe of Trade, if the ſame be not prevented; and foraſmuch as the Authority aforeſaid have taken the ſame into Conſideration (and knowing of Neceſſity it cannot be avoided at times) but that it may not be any Prejudice to ſuch as trade unto this Iſland, or any others living or reſiding thereupon, it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That from and after Publication of this Act, the ſeveral Perſons hereafter named be appointed for the ſeveral Places herein expreſſed, as Viewers of any Indigo or Sugar which ſhall be paid by Party and Party unto any Perſon or Perſons living, reſiding, or coming unto this Iſland; and what they or any of them ſhall conclude betwixt Party and Party ſhall ſtand and be allowed of without further Examination; all ſuch Viewers to be ſworn not to uſe Favour towards any Perſon or Perſons in deciding any ſuch Differences, but to ſpend the beſt of their Judgements in any ſuch Occaſion.

Viewers appointed for Indigo or Sugar.

For the Northward, beginning at the Old Road Town;

Enſign James Brinigham, *and* David Kennelly.

For the Town of Plymouth, *and thereabouts*;

Thomas Daniell, *and* Richard Ruſſell *ſenior*.

For the Town of Kingſale;

Captain Andrew Booth, *and Captain* Richard Baſſe.

For the Windward;

Mr. John Sayer, *and Enſign* William Knowles.

And if it ſhall happen that any of the ſaid Viewers ſhall have any Indigo or Sugars of their own, and any Queſtion be made of the Goodneſs thereof, that it ſhall and may lie in the Power of any other of the ſaid Viewers to examine the ſame, as before in and by this Act they are to do by any Perſon or Perſons; any Law, Uſage, or Cuſtom heretofore in this Iſland to the contrary in any wiſe notwithſtanding.

Viewers may examine the Goods of one another.

II. AND

1670. II. And whereas by an Act heretofore made and publiſhed in this Iſland, the ſeveral foreign Coins brought into the ſame do paſs and are received from Hand to Hand in the ſaid Iſland at a far greater Value than heretofore the ſaid Coins paſſed for; and that Sugar made in and upon this Iſland be not undervalued by means thereof, it is therefore enacted and ordained by the Authority aforeſaid, That all Sugar in and upon this Iſland, or which hereafter ſhall be made thereon, ſhall not paſs or be received by any Perſon or Perſons under the Rate hereafter expreſſed (that is to ſay) at Fifteen Shillings the Hundred.

Price of Sugar.

By the Honourable Colonel *William Stapleton*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the ſaid Iſland:

N° 21. *An Act that the Bounds of every Perſon or Perſons Land in and upon this Iſland be examined.*

WHEREAS there do ariſe many Differences betwixt the Inhabitants of this Iſland touching the Bounds of their Lands, and the Authority aforeſaid taking the ſame into ſerious Conſideration, and to preſerve the vaſt Expence and Charge that many are like to be at touching ſuch Occaſions; and that for the future many Troubles may be avoided, which otherwiſe might happen, to the undoing of many, it is therefore enacted by the Authority aforeſaid, and be it hereby enacted and ordained, That the Perſons hereafter named be by this Act fully, largely, and amply impowered, and ſtrictly enjoined after Publication of the ſame, to examine the Butts and Bounds of every particular Perſon or Perſons Land in or upon this Iſland, in the ſeveral Places hereafter mentioned, and as they are appointed for; and that they do certify the ſame under their Hands ſeverally, as they are joined, that ſo the ſaid ſeveral Certificates may be recorded in the Secretary's Office of the ſaid Iſland, to ſtand, remain, and abide as good and lawful, againſt and for every Perſon or Perſons concerned to Poſterity, without any Suit or Trouble in Law.

Bounds of Lands to be viewed and recorded.

To be for the North Part of this Iſland (*to ſay*) *beginning at the* Old Road River, *and ſo far as* Bottomleſs Gutt;

Captain William Carr, *and* William Reynolds.

For the Middle Precincts, beginning at the aforeſaid Road River, *and ſo far as* Douſh's Gutt;

Captain Richard Baſſe, *and Enſign* John Carroll.

For

For the White River *Precincts, beginning from the ſaid* Douſh's Gutt *unto* Tarr River; 1670.

Dermon Phallney, *and* Dermon Sellmiane.

For the Windward Side, beginning from Tarr River *unto* Bottomleſs Gut, *and ſo far Leeward as* Dogg Lepp;

Mr. John Sayer, *and* Chriſtopher Addams.

II. It is alſo enacted and ordained by the Authority aforeſaid, That after the Bounds are ſo examined by the ſaid ſeveral Perſons before named, or any two of them, that the Perſon or Perſons, he, ſhe, or they concerned in any of the ſaid Bounds and Lines, ſhall, at their proper Coſts and Charges, clear the ſame, and for the future to be ſo cleared once a Year, upon Penalty of One thouſand Pounds of good *Muſcovado* Sugar; the one Half thereof unto the publick Uſe of the Iſland aforeſaid, and the other unto him, her, or them that ſhall truly make Information to the Governor of this Iſland for the time being, or to any Juſtice of the Peace. And annually cleared.

III. It is alſo enacted and ordained, That the ſeveral Perſons appointed as aforeſaid ſhall return the ſaid Certificates of the Buttings and Boundings of every particular Perſon or Perſons Land in and upon this Iſland, within Two Months after Date hereof, upon the Forfeiture of One thouſand Pounds of good *Muſcovado* Sugar, recoverable from them or any of them, who ſhall omit the Return of the ſaid Certificates in the aforeſaid Time ſignified; any Law, Cuſtom, or Uſage heretofore in this Iſland to the contrary notwithſtanding. Certificates of them to be returned.

An Act for the raiſing of a Levy on all Lands in this Iſland, and the Inhabitants thereof; and for the building of a Court-houſe and Priſon. 1672. No 22. Expired.

An Act for the ſpeedy making of a Platform in the New Fort of this Iſland, for the Guns to be planted there. No 23. Expired.

At the Meeting of the Honourable Governor, his Council, and the Speaker to the Gentlemen of the Aſſembly of the Iſland aforeſaid, the Fifteenth Day of *Auguſt*, *Anno Dom.* 1668.

The ſeveral Acts hereafter mentioned, reſerved upon Record, and made before the late War in and for the Good of this Iſland, being this Day publickly read, are confirmed and allowed of, until the Governor and his Council do further conſider the ſame.

1668.

№ 1. *An Act for the Obſervation of the Lord's Day.*

WHEREAS by God's holy Writ and Ordinance we are commanded to keep holy the Sabbath-day of the Lord, and to abſtain from all Labours, Paſtime, and irreverent Actions; be it enacted and eſtabliſhed a Law, That no manner of Perſon or Perſons whatſoever, inhabiting or being upon this Iſland, preſume, upon any Pretence whatſoever, to violate the Duties of the ſaid Sabbath, by unlawful Gaming, immoderate and uncivil Drinking, irreverent and illegal Aſſociation, tumultuous Hubbubs, or any other prophane and illicious Labours of the Week-days, as digging, houghing, baking, crabbing, ſhooting, and ſuch like indecent Actions, upon pain that ſuch Perſon or Perſons ſo offending, and by the Church-wardens or Aſſembly, or any Perſon preſented to the Governor and Council, ſhall ſuffer ſuch Puniſhment as ſhall be thought fit, according to an Order formerly made by the Governor and Council, *Anno* 1638, which is to pay One thouſand Pounds of Tobacco Fine, provided Acts of Neceſſity, and made apparent at the next Court, to be at the Cenſure of the Governor and Council, *&c.*

Penalty for Sabbath-breaking.

№ 2. *An Act of free Trade for Merchants and Traders, reſerving to the Governor Four and twenty Hours for his Particular with the Inhabitants; and for preventing the Fraud in Quality or Quantity of Weights and Meaſures.*

Merchants to enjoy free Trade with this Iſland, *&c.*

IT is accorded and thought fit to be eſtabliſhed an Act, That all Merchants and Dealers in future with this Iſland, may have and enjoy from time to time the Liberty of free Trade, reſerving to the Governor the Privilege of Twenty four Hours for his Particular with the Inhabitants, and

and that they make choice of what Place or Houſe they pleaſe for their Storehouſe to put their Goods in, and after landing to ſhew their Goods to the Taſkers hereafter mentioned, their Weights and Meaſures, to prevent Fraud in the Quality or Quantity of either, and that the Tobacco be paid to the ſaid Merchants, as the Parties can agree, ſo it be near the Sea Side, and to receive their Tobacco in Roll or Ball, if they pleaſe, and with no Allowance of Upmaking, *&c.* 1668.

An Act againſt Ingroſſers of Commodities, and Foreſtallers of Goods. N° 3.

WHEREAS there have been many Inconveniencies happened generally to the Inhabitants by reaſon of ſome particular Ingroſſers of Commodities, and Foreſtallers of Goods, be it enacted, That no Manner of Perſon, either Merchant or Factor, reſident in the Iſland, ſhall ingroſs any Commodity, or foreſtal any Goods to vend the ſame in the Iſland, before ſuch time as the Iſland be ſatisfied; and that if any Perſon or Inhabitant do buy any Goods after the Iſland be ſatisfied, he ſhall not ſell the ſame but at and after the Rates and Price the Remainder of the Goods, or ſuch like, were formerly ſold at. Penalty on foreſtalling Goods.

An Act to prevent Merchants or Factors in this Iſland from ſelling Goods left with them at a dearer Rate than the firſt Merchant ſold, upon pain of One thouſand Pounds of Tobacco. N° 4.

AND if any Merchant or Factor happen to leave the Iſland, and ſhall leave any Goods in the Poſſeſſion or Hands of any other Perſon, either Inhabitant or Factor, to be diſpoſed of in the Iſland, the ſaid Inhabitant or Perſon ſhall not exact or require from the Inhabitants for the ſaid Goods ſo left, any more than the Rates the ſaid Goods were particularly ſold for by the firſt Merchant, upon pain of paying One thouſand Pounds of Tobacco, and the Surpluſage of the former Rate, being convicted of the ſame by his Confeſſion, or Two competent Witneſſes; the Half to the Informer, and the other to general Uſes, *&c.* Goods to be ſold at the ſame Rate as they were left for in the Factor's Hand.

An

1668.

№° 5. *An Act for viewing, ſealing, and allowing Merchants Weights and Meaſures*, &c.

Meaſures and Casks to be viewed and ſealed.

IT is ordered and enacted, That the Governor make choice of Two Men of the Council to be Taſkers for viewing and ſealing all, and allowing of all Merchants Meaſures and Weights, and gaging of Caſk, to prevent Fraud where it is tendered.

№° 6. *An Act for Maſters of Ships, Boats, or Veſſels that come to anchor in the Road of this Iſland, to enter into Bond within Four and twenty Hours in the Secretary's Office, not to tranſport any Perſon from the Iſland without Licence from the Office under the Governor's Hand, and to have Licence of Trade from the Office before they ſell their Goods*, &c.

Maſters of Ships not to tranſport any Perſon without Governor's Licence, &c.

THAT all Maſters of Ships, Boats, or Veſſels that arrive at the Iſland, and come to anchor, ſhall be ſummoned by the Marſhal within Four and twenty Hours to repair to the Secretary's Office to enter into Bond not to tranſport any Perſon from the Iſland without Licence from the Office under the Governor's Hand; and that if any Merchant intending to trade here, land his Cargo or Goods; after he hath landed the ſame in ſuch Place as he ſhall provide for himſelf, he ſhall firſt have his Licence to trade from the Office before he ſell his Goods; and that no Merchant take Goods of another Merchant to ſell under the Coverture of the ſaid Licence.

№° 7. *An Act for the Marſhal's attending the Governor once in every Four and twenty Hours*, &c.

The Marſhal's Duty.

THAT the Marſhal for the Time being attend the Duties of his Place, *viz.* once in Four and twenty Hours to attend the Governor, and know his Pleaſure; and likewiſe to repair to the Office to know what Order may be there for him to do, either for any particular Inhabitant, or ſummoning of Perſons to Actions within the accuſtomed Time of Three Days before each Court, if the Plaintiff have not a Ticket *ad compend'* from the

the Secretary, and ſerve the ſame himſelf; and alſo in giving particular Notice to all the Council to meet where and when the ſaid Governor ſhall pleaſe to order and appoint; and alſo to uſe Priſoners, and ſuch as may be committed to his Charge, honeſtly, reſpectfully, and peaceably, they there behaving themſelves civilly; and alſo when Shipping may or ſhall come to the Iſland, to attend where the Merchant may or ſhall come on Shore, or any other Perſon of Quality, or pertaining to the Ship, and them reſpectively to requeſt to attend the Governor, and go with him to the Governor, *&c.* 1668.

An Act againſt going through Fields of Canes with lighted Pipes, &c. No. 8.

WHEREAS great Damage and Miſchief hath heretofore happened, and daily much more is like to enſue (if not timely and ſpeedily prevented) by the unſufferable Boldneſs both of Slaves and Chriſtians, in paſſing through Fields of Canes where are no common Paths, both in the Day-time with lighted Pipes of Tobacco, or Sticks of Fire in their Hands, but eſpecially in the Night-time with kindled Torches, going a crabbing, whereby the whole Fields of Canes are in Danger to be fired, perhaps to the utter Ruin of the Owners; therefore to avoid ſuch future Inconveniencies which may happen by reaſon of licentious Liberties, upon mature and ſerious Conſideration of the Premiſſes, it is agreed to be enacted and eſtabliſhed as a Law, and be it therefore enacted, *&c.* That any Perſon or Perſons whatſoever upon this Iſland, that ſhall from henceforth uſually paſs through any Field of Canes where there is no common Path, be it to his own Houſe or elſewhere, ſhall for every ſuch Offence be liable to the Cenſure of the Governor and Council; but if any Maſter, Servant, or Slave, ſhall go into any Field of Canes, either by Day or Night, with any Fire-light, either a crabbing or otherwiſe, though no hurt be done to the Canes by the Fire, yet notwithſtanding, for his or their Contempt in the Breach of the Act, ſhall be liable to the Cenſure as aforeſaid; but if the Canes ſhall happen to be ſet on Fire by any Maſter of a Family, Servant or Slave that ſhall do it by the Act, Procurement, or Conſent of the Maſter, then the Maſter of ſuch Servant or Slave ſhall make full Satisfaction to the Owner for the Treſpaſs done, if his Eſtate both perſonal and real will amount to it, otherwiſe to be liable to the Cenſure of the Governor and Council; but if any Slave ſhall ſo offend of his own accord, and be either taken in the Act, or ſufficient Proof or Evidence be brought againſt him, ſhall be liable to ſuch Puniſhment as the Governor and Council ſhall cenſure, provided it ſhall not be prejudiced to Life or Limb. Laſtly, If any Maſter, Servant, or Slave, come to gather any Cane-tops in any Field without the Maſter's Conſent that owneth the ſaid Canes, ſhall for every ſuch Offence be liable to the Cenſure of the Governor and Council, *&c.*

Penalty on paſſing through Cane-fields with Fire-light, *&c.*

1668.

№ 9. *An Act againſt Slaves going from their Maſter's Plantation on the Lord's Day, and againſt ſuch as entertain any Runaways,* &c.

WHEREAS there hath been formerly an Order made upon this Iſland for the Reſtraint of Servants, eſpecially Negroes, in going from or out of their Maſter's Plantation upon the Lord's Day, or other Times of Liberty granted them, which Order having been long time ſlighted, or altogether neglected, whereby our Slaves have ranged to and fro at their own Pleaſure, without Controlment, to our great Damage, and Miſchief of their conſorting with other Negroes, and daily much more is likely to enſue, if not timely and ſpeedily prevented, by their unſufferable Boldneſs; therefore to avoid for the future the bad Conſequences which may happen by reaſon of ſuch licentious Liberties, upon mature and ſerious Conſideration of the Premiſſes, we do again order, and be it hereby ordered, That if any Negro or Negroes whatſoever upon this Iſland ſhall from henceforth, without their Maſter's ſpecial Licence, go out of his Maſter's Plantation upon the Lord's Day, or any other Day of Liberty, or ſhall be found abroad or at any other Houſe in the Night, but upon his Maſter's Plantation, ſhall be either bound and ſent ſecurely to the Marſhal's, or if in the Day-time, according to the Diſcretion and Order of the Maſter of the Family where he ſhall be taken, whipt, and ſent home again.

Penalty on Slaves going from their Maſters Plantations without their Leave.

II. IT is further ordered, That if any ſhall be known to receive or entertain any runaway Slaves that have run away from their Maſters, or ſhall by any ways or means abet, relieve, or ſupport them, ſhall publickly be made exemplary by receiving Sixty Laſhes upon their bare Shoulders. Laſtly, it is conſented and agreed upon, That ſuch Negroes that are at this inſtant run away, and out in the Woods, if they ſhall of their own accord, or by Perſuaſion of others, come in unto their Maſters within Sixteen Days after the Date hereof, ſhall be free from all Puniſhment for their Crimes till this Day, otherwiſe remain liable as formerly, and be as outlawed Perſons, &c.

Puniſhment of Perſons for harbouring runaway Slaves, &c.

№ 10. *An Act againſt Negroes and Slaves that preſume to go from their Maſter's Plantation without Licence under their Hands,* &c.

WHEREAS by an Order lately made by the Governor and Council for the Reſtraint of Negroes and Slaves, that they preſume not at any time to go from their Maſters Plantation without Licence under their Hands, more eſpecially on the Lord's Day, by reaſon of many Outrages and inhuman Actions obſerved to have been committed by them, by their licentious Liberty on that Day, with many other Inconveniencies; therefore we enact, and be it hereby ſtrictly enacted, That for the future if any Negro or Slave ſhall

ſhall offend again in the like Caſe, by ſtraying from their Maſter's Plantation, but eſpecially on the Lord's Day, without Licence as aforeſaid, then it ſhall and may be lawful for any Maſter of a Family, Freeholder, Overſeer, or any other Perſon to apprehend them, and convey them either to the Provoſt-marſhal's, or to their Maſter's Plantation: And all Maſters of Families who have any Slaves or Negroes, are hereby required, that if any other Negroes, not properly belonging to them, ſhall frequent their Plantation, or be found thereon, either by Day or Night, without Licence, that they give them ſufficient Correction, and then convey them as aforeſaid. 1668.

Slaves ſtraying from their Maſters Plantations how to be treated.

Here end the Ten Laws confirmed in 1668.

By the Honourable Colonel *Edmond Stapleton*, Governor of the Iſland aforeſaid, his Council, and Aſſembly, the ſeveral Repreſentatives of the ſeveral Inhabitants of the Iſland aforeſaid:

1673. N° 24.

An Act impowering Juſtices of the Peace to order Labourers Wages; and reſtraining Perſons going on board Ships or other Veſſels.

WHEREAS the Authority aforeſaid have taken into their ſerious Conſideration the ſeveral Complaints of Labourers on this Iſland, of their being much damnified for want of their due Payment; and the Courts being uſually ſuſpended in the latter Part of the Year, by which Means many Perſons take Advantage to defraud the Labourer of his Payment for the ſaid Time; it is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That each and every Juſtice of the Peace in their ſeveral Diviſions in this his Majeſty's Iſland ſhall and may, from and after Publication hereof, have full Authority and ample Power to order and determine Labourers Wages upon Complaint, provided the Wages exceed not One thouſand Pounds of Sugar, and Execution upon Surrender to proceed.

Juſtice, upon Complaint, to determine Labourers Wages.

II. WHEREAS ſeveral of the Inhabitants of this Iſland uſually make it their Cuſtom to go on board Ships and other Veſſels trading unto the ſame, and thereby foreſtalling the Market, by which Means the Publick in general is much inhanced in the Value of their Commodities; for prevention of which for the future, be it enacted and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons, of what Quality ſoever, under the Penalty of Five Barrels of Powder, to be employed towards the Defence of this his Majeſty's Iſland, ſhall go on board any Ship or Veſſel trading to this Iſland until ſhe have anchored Twenty four Hours in one of the Roads of this Iſland. And it is alſo enacted, That if any Perſon buy any Manner of Proviſion aboard any Ship or Veſſel trading, after Twenty Hours Arrival the ſame to be really landed in this Iſland, and not tranſported, under the Penalty of Ten Barrels of Powder, for the Uſe aforeſaid; any Law, Cuſtom, or Uſage in this Iſland heretofore had or made in any wiſe notwithſtanding.

Penalty on going aboard a Ship before ſhe hath anchored 24 Hours, &c.

1675.

By the Honourable *John Carrill*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the Iſland aforeſaid:

№ 25. *An Act reſtraining Phyſicians high Fees, and fining Rum-works.*

WHEREAS a Diſtemper commonly happens to the Inhabitants of this Iſland, called *The Country Diſeaſe*, or *Yaws*, and through the Poverty of ſeveral of the Inhabitants, and the Unreaſonableneſs of ſeveral of the Phyſicians and Chirurgeons of this Iſland, many of the poorer Sort of People of the ſame periſh; for prevention whereof it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That whatever Perſon, of what Degree or Quality ſoever, uſing the Practice of Phyſick or Chirurgery in this Iſland, ſhall refuſe to take in Hand (and under God cure) any of the Inhabitants or others, the ſaid Patient, or any other Perſon tendering for the ſaid Cure, as aforeſaid, Three hundred Pounds of Sugar, the Perſon ſo refuſing ſhall forfeit One thouſand Pounds of Sugar to the Uſe of his Majeſty.

Penalty on Phyſicians, &c. refuſing to take in hand any Perſons, when properly fee'd, &c.

II. WHEREAS there are ſeveral of the Inhabitants of this Iſland that convert their Sugar-canes into Rum, which otherwiſe would make good Sugar, and further the Trade of this Iſland; for the Prevention of the like for the future, it is further enacted and ordained, and be it hereby further enacted and ordained by the Authority aforeſaid, That any Perſon or Perſons, of what Quality ſoever, that keep a Rum-work, and not Three Coppers, to convert his Canes into Sugar, ſhall pay the Five and twentieth Day of *March* yearly, after the Date hereof, and every Year, unto the Treaſurer of this Iſland, for the Uſe of his Majeſty, towards the Support of his Majeſty's Forts, One thouſand Pounds of Sugar, ſo long as they or either of them ſhall not make their Canes into Sugar.

and on Perſons keeping a Rum-work, and not 3 Coppers.

III. AND it is further enacted, That the Commanders in Chief of each reſpective Diviſion in this Iſland return yearly, and every Year, a true Liſt, the Five and twentieth Day of *March*, of the ſeveral Rum-works within his Diviſion; any Law, Uſage, or Cuſtom hitherto had or made in this Iſland to the contrary in any wiſe notwithſtanding.

A Liſt of Rum-works to be returned annually.

№ 26. Expired. *An Act for the ſpeedy fixing of Fire-arms, and alſo for the Encouragement of Workmen.*

An

1677.

An Act prohibiting the Importation of Fyall *Wine, and all Liquors to be entered before landed, and an Impoſt on the ſame.* N° 27. Expired.

An Act confirming Levies formerly raiſed; Treaſurer's Notes to be accepted; Miniſter and Clerk's Salary; and Cattle's treſpaſſing. N° 28. Expired.

By the Honourable Colonel *Edmond Stapleton*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the Inhabitants of the Iſland aforeſaid:

1678.

An Act about contracting Marriages; and the Governor, Secretary, and Marſhal to be free from all Taxes. N° 29.

WHEREAS the Authority aforeſaid have taken into their ſerious Conſideration the great Scarcity of Miniſters, and that there hath been formerly an Act made to prevent the manifold Sins of Incontinency, which muſt of Neceſſity enſue, if Courſe had not been taken to have remedied the ſame; and for the avoiding of any Debates that might happen by any Perſons joined together in the holy Eſtate of Matrimony, by the reſpective Juſtices of the Peace in the ſaid Act appointed and authorized, and that their Iſſue may not be counted or deemed in Law illegitimate; and for the Safety and Peace of this Iſland, it is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That all Manner of Perſons, of what Degree or Quality ſoever, joined together in the holy Eſtate of Matrimony in this Iſland, before the Publication hereof, by the reſpective Juſtices of the Peace, as by a former Act expreſſed and appointed, all and every ſuch Marriage ſhall be deemed and accounted lawful, and their Children legitimate, and capable to receive all ſuch Privileges as are uſually appertaining to Children lawfully begotten; any Law, Uſage, or Cuſtom in this Iſland to the contrary in any wiſe notwithſtanding. Marrying by Juſtices lawful.

II. WHEREAS the Council and Repreſentatives of the Iſland aforeſaid, have conſidered the great Charge and Trouble that daily attend the Governor, Secretary, and Marſhal of this Iſland to manage the Affairs thereof,

1678. for the good and well being of the Inhabitants of this Iſland, therefore the Council and Repreſentatives aforeſaid do deſire that the Governor, Secretary, and Marſhal of this Iſland be free from all Taxes and Impoſitions, either in their perſonal or real Eſtates on this Iſland, and that it be enacted to that Purpoſe; it is therefore enacted and ordained, and be it hereby enacted and ordained by the Governor and his Council, and Gentlemen of the Aſſembly of this Iſland, and by Authority of the ſame, That from and after the Publication of this Act, the Governor, Secretary, and Marſhal of this Iſland for the time being, or hereafter, ſhall be wholly and abſolutely exempted from all Taxes or Impoſitions which may hereafter become due upon either of their perſonal or real Eſtates in this Iſland; any Law, Uſage, or Cuſtom in this Iſland to the contrary in any wiſe notwithſtanding.

Governor, &c. freed from Taxes.

By the Honourable Colonel *Edmond Stapleton*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the Iſland aforeſaid:

1679. N° 30. ## *An Act againſt Negroes wandering, and the Concealers thereof.*

WHEREAS there is a general Complaint in this Iſland of the Liberty that Negroes do aſſume to themſelves in wandering from one Plantation to another on the Sabbath-day, and at other times, both Day and Night, by which Means many of the Inhabitants are much damnified, by ſeveral Inſolencies, Thefts, and Robberies, which if not ſpeedily prevented, may very much prejudice the publick Welfare of this Iſland; it is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That for the future all Proprietors of Negro or Negroes in or upon this Iſland, or Overſeers of Plantations, that ſhall have any ſtrange or wandering Negro or Negroes come into his, her, or their Plantations, either by Day or Night, on Pretence of any lawful Occaſions, and any ſuch Negro or Negroes that ſhall, after Notice given unto him or them to repair unto his, her, or their Maſter or Miſtreſs, Owner or Owners, Overſeer or Overſeers of the reſpective Plantations, where any ſuch Negro or Slave or Slaves ſhall ſo loiter, ſhall forthwith take any ſuch runaway or wandering Slave or Slaves, and puniſh him or them, and ſend them to the Owner or Owners thereof, Overſeer or Overſeers of the Plantations unto which they belong; and if any Slave or Slaves ſhall conceal ſuch, or harbour any ſuch runaway or wandering Slave in his, her, or their Cabbins, ſhall be by the Owner or Owners, Overſeer or Overſeers of ſuch Concealers, forthwith taken before the next Juſtice of Peace of this Iſland, and there in the Preſence of the ſaid Juſtice exerciſe the Puniſhment of Forty Laſhes upon the bare Back of him, her, or them that ſhall ſo conceal any Slave or Slaves; and all ſuch Owners or Overſeers as ſhall neglect ſo to do, ſhall, upon Proof thereof, be fined Five hundred Pounds of Sugar for his Majeſty's Uſe, towards the Sup-

Wandering Slaves to be puniſhed, and ſent home.

Their Concealers to be puniſhed.

Penalty on Owners or Overſeers Neglect.

port of the Government of this Iſland; any Law, Uſage, or Cuſtom in this Iſland to the contrary heretofore had or made in any wiſe notwithſtanding. 1679.

By the Honourable *Peter Cove*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſaid Iſland:

1680.
N° 31.

An Act impoſing a Duty of Powder on all the Growth or Manufacture of Sugar, Tobacco, or Indigo tranſported from this Iſland.

WHEREAS the Authority aforeſaid have taken into their ſerious Conſideration, that the only Means to encourage Ships and other Veſſels to trade in this Iſland, will be to mitigate the Impoſt of Powder which lay heavy on ſome Ships and Veſſels, which did very much hinder their coming into the Roads of this Iſland; and for the future Encouragement of all Ships and other Veſſels, it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That from and after the Publication hereof, every Ship or Ships, Sloop or Sloops, or any other Veſſel, by what Denomination ſoever, being free Bottom, trading unto this his Majeſty's Iſland, ſhall *bona fide* pay the Impoſt of Powder upon the ſeveral Commodities, being the Growth and Production of this Iſland, in Manner and Form as hereafter is expreſſed; that is to ſay,

Duties ſettled on Sugar, Tobacco, or Indigo, exported.

For every Ton of Sugar, by any Ship or Ships, Sloop or Sloops, or other Veſſels, taken on board to tranſport from this Iſland, ſhall be paid one Pound of good Powder.

And for every Fifteen hundred Pounds of Tobacco, either Leaf or Roll, ſo ſhipped as aforeſaid, one Pound of good Powder.

And for every Barrel of Indigo, ſo ſhipped, half a Pound of Powder, and ſo proportionably for a leſſer or greater Quantity of Sugar, Tobacco, or Indigo ſo ſhipped, to be employed towards the Defence of this Iſland.

Commanders of Ships, &c. to give a juſt Account, &c.

II. IT is alſo enacted by the Authority aforeſaid, That all Commanders of Ships, Sloops, or other Veſſels trading to this Place, ſhall be liable, before they go from the Road or Bays of this Iſland, to give a juſt Account of all Sugar, Tobacco, and Indigo by them received on board their ſaid Ships, Sloops, or other Veſſels, and the Duty or Impoſt of Powder to pay unto the Commiſſioner appointed to receive the ſame; any Law, Uſage, or Cuſtom in this Iſland heretofore had or made to the contrary in any wiſe notwithſtanding.

By

1680.

By the Honourable Colonel *James Cotten*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of this Iſland:

№° 32. *An Act reſtraining the Aſſignment of Bonds and Bills without Conſent of Parties, and Seſſion two ſeveral times in the Year; no Jury to be under One thouſand Pounds of Sugar.*

WHEREAS the Authority aforeſaid have taken into their ſerious Conſideration the many and troubleſome Suits of Law which uſually happen amongſt the Inhabitants, and others, about Bonds and Bills of Debts, and to reduce the Inhabitants, and others, unto the more peaceable Manner of receiving their juſt Dues, and to avoid all Manner of fraudulent Aſſignments of Bonds and Bills for the future, it is enacted and ordained, and be it enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons whatſoever, after Publication hereof, do preſume to make over or aſſign any Bonds or Bills of Debt which to them are due from any of the Inhabitants of this Iſland, without the Conſent of the Perſon or Perſons ſo indebted, or diſcounting or perfecting Accounts with the Party obliged firſt, if any Account or lawful Demands happen to be between him or the Debtor's Part; and if any Perſon preſume to offend herein, and it be legally proved, an Execution ſhall forthwith be granted againſt the Delinquent for preſent Satisfaction to the Perſon wronged, and be impriſoned until it be made.

No Bonds or Bills of Debt to be aſſigned over, without Conſent of Parties.

II. WHEREAS the Authority aforeſaid have ſeriouſly conſidered, that it would tend very much to the Advancement of Trade in this Iſland, if two ſeveral times in the Year, as generally Courts of *Oyer* and *Terminer*, and *Niſi Prius* were held, both for the Diſpatch of poor Priſoners, and alſo Creditors would the more ſpeedier put a Period to their Concerns; and for the Prevention of any Delays for the future, it is enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That the Governor of this Iſland for the time being, his Deputies or Succeſſors, ſhall have full and ample Power, after Publication hereof, from time to time, to appoint and ordain two ſeveral times in the Year, and every Year, a General Court of *Oyer* and *Terminer*, and *Niſi Prius*, to be held for this his Majeſty's Iſland of *Montſerrat*; any Law, Uſage, or Cuſtom heretofore had or made, or accuſtomed in this Iſland, in any wiſe to the contrary notwithſtanding.

Governor, &c. to appoint Courts of *Oyer* and *Terminer*. and *Niſi Prius*.

III. WHEREAS ſeveral turbulent Perſons, not only reſiding or Inhabitants of this Iſland, but ſeveral Perſons trading here as Merchants or otherwiſe, do take Bonds and Bills for what they diſpoſe, alſo ſeveral Obligations upon other private Conſiderations made in this Iſland, many of which, although amounting unto but very inconſiderable Quantities of the Produce of this Iſland, nevertheleſs, if the leaſt Difference ariſes between the Perſons, whom thoſe Bills concern, will be ſo troubleſome before the ſame be determined, will put the Country to the Trouble of having the ſame tried by a Jury of Freeholders, to the great Trouble of the Governor and his Council, and great Damage to the Inhabitants of the ſame; for the Prevention of which for the future, it is enacted and ordained, and be it hereby enacted and ordained

dained by the Authority aforeſaid, That from and after the Publication of this Act, it ſhall not be lawful for any Perſon or Perſons whatſoever, now inhabiting or hereafter inhabiting this Iſland, either as Inhabitant or Foreigner, to have a Trial for any Debt or Debts, Contract or Contracts made upon this Iſland by him or them, by a Jury of Twelve Freeholders of this Iſland, or any of the Courts of Record in this Iſland, except his or their Debt or Debts, Contract or Contracts (beſides Penalties) *bona fide*, amount to the juſt and full Value of One thouſand Pounds of Sugar, or more. 1680.

No Trial to be had, unleſs the Debt amount to 1,000 *lb.* Value of Sugar.

By the Honourable Colonel *James Cotten*, Governor of the Iſland aforeſaid, the Council, and Gentlemen of the Aſſembly, the ſeveral Repreſentatives of this Iſland:

An Act for the making Reſtitution for Cattle ſtolen by Negroes; and Licences for Tap-houſes in Town and Country. № 33.

WHEREAS the Authority aforeſaid have taken into their ſerious Conſideration the general Complaint of the Inhabitants againſt the Inſolencies, Robberies, and Thefts of the Negroes and Slaves of this Iſland, which, if not timely prevented, may prove very prejudicial to the Inhabitants of the ſame; it is therefore enacted and ordained, and be it hereby enacted and ordained by the Authority aforeſaid, That from and after the Publication of this Act, the Owner or Owners of any Negro or Negroes, Slave or Slaves, upon ſufficient Evidence, ſhall pay unto the Owner or Owners; that is to ſay,

Penalty on Owners, whoſe Slaves are convicted of thieving.

For every Cow ſtolen by his, her, or their Negroes or Slaves, within Ten Days after ſuch Evidence, the Sum of Eight hundred Pounds of Sugar.

For every Beaſt fit for drawing in the Mill or Cart, One thouſand Pounds of Sugar.

For every Aſſi-negro, Four hundred Pounds of Sugar.

For every Horſe or Mare, Two thouſand Pounds of Sugar.

For a Calf Six Months old, Two hundred Pounds of Sugar; if under, but Twenty Pounds of Sugar.

For Hogs, Goats, or Turkies, the Owner or Owners of ſuch Negro or Negroes, Slave or Slaves, ſhall, upon ſufficient Teſtimony of ſuch Theft or Robbery committed by his Slave or Slaves, reſtore the ſame Value in Quality, and the Slave or Slaves ſo offending immediately to be brought before the next Juſtice of the Peace, and publickly whipt; any Uſage, Law, or Cuſtom in this Iſland heretofore had or made to the contrary in any wiſe notwithſtanding.

Slaves Puniſhment.

II. IT is further enacted and ordained by the Authority aforeſaid, That after Publication of this Act, all Perſons whatſoever, keeping a Houſe of Entertainment, or Tap-houſe, in either of the Towns, or within half a Mile of the Towns appointed, ſhall yearly, and every Year, pay unto the Treaſurer of this Iſland, for his Majeſty's Uſe, towards the repairing of the Forts of this Iſland, Two thouſand Pounds of Sugar; and for all others that follow the ſame Employment, One thouſand two hundred Pounds of Sugar; any Law, Uſage, or Cuſtom heretofore had or made in this Iſland to the contrary in any wiſe notwithſtanding.

Perſons keeping Tap-houſes, &c. to pay 2,000 *lb.* of Sugar annually.

At the Court at *Kenſington* the 31ſt of *December*, 1696.

PRESENT

The King's Moſt Excellent Majeſty in Council.

Thomas Lord Archbiſhop of *Canterbury*,
Lord Keeper,
Lord Steward,
Lord Chamberlain,
Earl of *Bridgewater*,
Earl of *Stamford*,
Earl of *Portland*,
Earl of *Monmouth*,
Lord Vicount *Durſley*,
Lord *Cornwallis*,
Lord *Coningsbey*,
Mr. Secretary *Trumbull*,
Mr. Chancellor of the Exchequer,
Lord Chief Juſtice *Holt*.

WHEREAS his Majeſty has been pleaſed by his Royal Commiſſion, bearing Date the ſix and twentieth Day of October, *One thouſand ſix hundred eighty nine, in the firſt Year of his Reign, to authorize the Governor, Councils, and Aſſemblies of their Majeſties Leeward* Charibbee *Iſlands in* America, *jointly and ſeverally to make, conſtitute, and ordain Laws, Statutes, and Ordinances, for the publick Peace, Welfare, and good Government of the ſaid Iſlands; which ſaid Laws, Statutes, and Ordinances, are to be, as near as conveniently may be, agreeable to the Laws and Statutes of this Kingdom, and to be tranſmitted to his Majeſty for his Royal Approbation or Diſallowance of them; and the Council of Trade having peruſed and conſidered certain Laws paſſed in the General Aſſembly of his Majeſty's Iſland of* Montſerrat *in the Words following:*

By

1693.

By his Excellency *Chriſtopher Codrington* Eſquire, Captain-general and Chief Governor in and over their Majeſties Leeward *Charibbee* Iſlands, the Honourable the Preſident, the Council, and Aſſembly of this Iſland:

An Act againſt Blaſphemy, and for preventing Diſorders in Alehouſes, Taverns, and Victualling-houſes; and for rating Liquors ſold by retale. N° 34.

FORASMUCH as the true and principal Uſe of Inns, Alehouſes, Taverns, and Victualling-houſes is for the Receipt, Relief, and Lodging of Wayfaring People travelling about their neceſſary Buſineſs, or for the neceſſary Supply of ſuch Perſons as are notable by greater Quantities to make their Proviſions of Victuals, and not meant for Entertainment and harbouring of lewd or idle People, to ſpend and conſume their Money or their Time there; we your Majeſties moſt humble and obedient Subjects, the Chief Governor of your Majeſty's Leeward Iſlands, the Preſident, Council, and Aſſembly of this Iſland, do moſt humbly pray your moſt Sacred Majeſties that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons whatſoever in this Iſland be enabled to have and receive any Licence or Licences from the Governor for the time being to retail any ſtrong Liquors, unleſs they ſhall bring yearly Certificates under the Hands of Two of the Council of this Iſland, as well that they have taken before them the Oaths appointed inſtead of the Oaths of Allegiance and Supremacy (who are hereby impowered to adminiſter the ſame) as that they hold them ſufficiently qualified to keep a Tavern or Houſe of Entertainment, and have alſo given good Security in the Secretary's Office of Five thouſand Pounds of Sugar, that he ſhall ſuffer no Diſorders to be committed in his ſaid Houſe, or any Thing done contrary to the Laws of *England* or of this Iſland: And that no Perſon or Perſons whatſoever, from and after Publication of this Act, preſume to ſell or retale any Liquors, of what kind ſoever, without Licence obtained in Manner aforeſaid, which is to determine the Twenty fifth Day of *December* yearly, after the Date of the ſaid Licence, under the Penalty of Ten thouſand Pounds of Sugar for every ſuch Offence; and in caſe of any Perſons not of Ability to pay the ſaid Fine, that then it ſhall and may be lawful for every Offence to impriſon the Offender for Six Months without Bail or Mainprize. Provided always, and be it excepted, That any Perſon living or being licenſed (as hereby is provided) to retale ſtrong Liquors within the Limits of the *White River Diviſion* in this Iſland, be not obliged to take the ſaid Oaths.

No Perſon to be licenſed to ſell ſtrong Liquors, before he hath taken the Oaths, &c.

Exception.

II. AND it is hereby further enacted and ordained, That whatſoever Perſon ſo licenſed as aforeſaid, ſhall entertain or receive any one in their Houſe to tipple or drink in Time of Divine Worſhip or Service, ſhall forfeit Two hundred Pounds of Sugar for every ſuch Offence, and the Perſon or Perſons there ſo found ſhall pay each of them Fifty Pounds of Sugar; both which Forfeitures ſhall be levied by Diſtreſs, by Warrant from any Juſtice of Peace within this Iſland. And whoſoever ſhall by Prophaneneſs or Blaſphemy diſhonour Almighty God, and be thereof duly convicted in any Court of Record, ſhall be fined at the Diſcretion of the Court, not exceeding Four thouſand

Penalty on permitting Tippling in Divine Service,

and on blaſpheming,

1693.

ſand Pounds of Sugar for every ſuch Offence; and that ſuch as are either Servants, or not worth ſo much, ſhall be liable to ſuch Corporal Puniſhment as the Judges ſhall think meet, Loſſes of Life and Limb only excepted.

and on Gaming, or uſing falſe Dice, &c.

III. AND it is further enacted, That if any of the ſaid Perſons, ſo having received Licence as aforeſaid, ſhall keep or ſuffer any common Gaming in their Houſes, they ſhall forfeit or be fineable according to the Direction of the Court, not exceeding Two thouſand Pounds of Sugar; and whoſoever ſhall by falſe Dice, or other Fraud or Deceit, win any Money or other Things, ſhall forfeit treble the Value thereof, being convicted by Verdict, on Confeſſion, or otherwiſe; and that no Sum exceeding Forty Shillings, won at any Game or Betting on the Side of any, ſhall be recoverable; and all Bonds, Contracts, and Securities for above the Sum aforeſaid, won as aforeſaid, ſhall be void. Provided nevertheleſs, That nothing herein contained ſhall be deemed or conſtrued to hinder or abridge any Maker of Rum, but that by himſelf, Servants, or others, he may vend and ſell the ſame pure and unmixt, according to an Act formerly made, intituled, *An Act made by the Authority aforeſaid to prevent the Inconveniencies that doth and may attend the Multiplicity of Tippling Houſes within this Iſland*, &c.

Tavern-keepers ſelling Liquors at above the Rates hereby eſtabliſhed,

IV. AND inaſmuch as the Tavern-keepers within this Iſland have and do at their Pleaſure raiſe the Price of Liquors ſold by retail, be it enacted and ordained by the Authority aforeſaid, That from and after the Publication hereof, all Vintners, Tavern-keepers, or any other Perſon or Perſons, who do or ſhall utter or ſell, by way of retale, Beer, *Madeira* Wine, or Brandy, and ſhall preſume, by Means directly or indirectly, to take or receive above the Rates hereafter mentioned for the aforeſaid Liquors, *viz.*

For *Engliſh* or *Iriſh* Beer, Seven Pence Halfpeny the Quart.

For Brandy, Two Shillings Six Pence the Quart.

forfeit 400 *lb.* of Sugar.

For *Madeira* Wine, One Shilling Six Pence, and ſo proportionably for a greater or leſſer Quantity; for every ſuch Offence ſhall forfeit the Sum of Four hundred Pounds of Sugar, to be levied by Warrant from any of their Majeſties Juſtices of the Peace of the Precinct wherein the Default is committed, on the Goods and Chattels of any Perſon or Perſons ſo offending, the one Half of which Forfeiture ſhall be to the Poor of the Pariſh, and the other to the Informer; any Uſage or Cuſtom to the contrary notwithſtanding.

Penalties how to be diſpoſed of.

V. PROVIDED alſo, That the aforeſaid Penalties mentioned in this Act, and declared where they ſhall be recovered, or how diſpoſed of, be one Half towards the Support of the Government of this Iſland, and the contingent Charges thereof, the other Half to the Informer; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoign, Protection, Injunction, or Wager of Law ſhall be allowed; any thing in this Act, or any other to the contrary in any wiſe notwithſtanding.

The Sums to be paid for Licences.

VI. AND inaſmuch as there are greater Neceſſities now in time of War for advancing the Revenues of this Iſland than formerly, be it enacted by the Authority aforeſaid, That all Perſons being licenſed, as aforeſaid, to keep a Tavern, or Houſe of Entertainment, to retail Liquors within the Towns of *Plymouth* or *Kingſail* in this Iſland, ſhall yearly pay unto their Majeſties, and Succeſſors, the Sum of Three thouſand Pounds of Sugar, for and towards the Support of the Government of this Iſland; and in all other Parts of this Iſland, the Sum of One thouſand five hundred Pounds of Sugar, to be paid, as aforeſaid; any Uſage, Law, or Cuſtom to the contrary notwithſtanding.

By his Excellency *Chriſtopher Codrington* Eſquire, Captain-general, and Commander in Chief in and over their Majeſties *Leeward Charibbee* Iſlands in *America*, the Honourable the Preſident, the Council, and Aſſembly, the ſeveral Repreſentatives of the ſaid Iſland: 1693.

An Act for preventing Abuſes that ariſe by Perſons going on board Veſſels before the Maſter hath made his Appearance to the Governor; and for the better ordering Boats and Wherries. No. 35.

AND foraſmuch as divers Inconveniencies happen by the diſorderly going on board Ships and other Veſſels before the Maſter hath been on Shore with the Governor or Commander in Chief, as well in the Miſcarriage of Letters, as the ingroſſing the moſt uſeful Commodities; we pray their Moſt Excellent Majeſties it may be enacted and ordained, and it is hereby ordered, enacted, and ordained by the Authority aforeſaid, That no Perſon whatſoever, without the Leave or Permiſſion of the Governor or Chief Commander for the time being of the ſaid Iſland, ſhall preſume to go on board any Ship or Veſſel at her entering into Harbour, until the Marſhal or his Deputy have firſt been on board with the Maſter, and have brought him on Shore to the Preſident or Governor in Chief, or within Forty eight Hours after the ſaid Maſter hath ſo made his Appearance, under the Penalty of Five hundred Pounds of Sugar; to be recovered by Conviction of one Witneſs, by Warrant of Diſtreſs from any Juſtice of the Peace, directed to the Marſhal, his Deputy, or Conſtable, to levy the ſaid Sum or Quantity of Sugar upon the Delinquent's Goods and Chattels, who, by virtue thereof, ſhall expoſe the ſame to Sale, returning the Overplus (if any be) and for want of ſuch Diſtreſs, to take the Defendant's Body into Cuſtody, and to carry and convey to the common Gaol of this Iſland, there to remain for Six Months, or until he or they have ſatisfied the ſaid Fine or Debt, with Charges, the one Half to the Informer, the other to their Majeſties, their Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof: Provided that all ſuch Perſons ſo offending be firſt ſummoned before ſuch Juſtice of the Peace to anſwer all ſuch Matters as ſhall be objected touching the Premiſſes; and in caſe of Non-appearance to iſſue out a Warrant of Contempt, directed to the Conſtable, to bring the Contemner before him to anſwer the Contempt, who may, if he ſee Cauſe, fine the Contemner; provided the ſaid Fine exceed not One hundred Pounds of Sugar; to be levied, as aforeſaid, for the Uſe of their Majeſties Iſland, as aforeſaid.

Penalty for going on board any Veſſel without Leave of the Governor;

or within 48 Hours after the Maſter has been with the Governor.

Proviſo.

II. AND be it further enacted by the Authority aforeſaid, That no Maſter, Merchant, Factor, or other Perſon whatſoever, preſume to treat, grant, or obtain a Promiſe for Merchandize or Commodity to the Value of Ten Shillings, or Quantity of Tonnage or Freight, until the Maſter hath been with the Governor or Chief Commander of this Iſland, or ſome other Officer as he ſhall appoint, under the Penalty of Ten thouſand Pounds of Sugar on each Perſon that ſhall ſo treat, grant, or obtain a Promiſe, as aforeſaid; any Cuſtom or Uſage to the contrary heretofore notwithſtanding; the ſame to be one Half to their Majeſties, their Heirs and Succeſſors, for

Penalty on agreeing for Merchandize or Freight, before the Maſter has been with the Governor.

1693. and towards the Support of the Government of this Iſland, the other Half to the Informer; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland.

III. AND whereas, through Negligence in ſecuring Boats, Wherries, Canoes, and other ſmall Veſſels, ſeveral Perſons have ſtole or run off, to the great Prejudice of the Inhabitants of this Iſland; be it further enacted and ordained by the Authority aforeſaid, That all Owners of Boats, Wherries, or Canoes, every Night chain or lock every of them to ſome Tree or firm Poſt, or bring them cloſe up under Guard or Fort; and alſo take away the Oars, Sails, and Rudders, and ſecure them in ſome ſafe Place, under Lock and Key, or deliver them nightly to the Guard where the ſaid Veſſel ſhall be lodged; and whatſoever Owner or Employer of any Boats, Wherries, or Canoes, ſhall offend in the foregoing Clauſe, ſhall forfeit for every ſuch Offence Two thouſand Pounds of Sugar, to be recovered and diſpoſed of as aforeſaid.

Boats, &c. to be ſecured every Night.

IV. AND it is further enacted and declared by the Authority aforeſaid, That any Perſon or Perſons who ſhall hereafter be indicted or impleaded for the ſtealing or felonioufly taking of any Shallop, Boat, Wherry, Canoe, Logge, or other Veſſel from any Part of this Iſland, or ſhall be conſenting, aiding, or aſſiſting to the doing of the ſame, and ſhall be thereof convicted according to Law, ſhall be adjudged guilty of Felony.

Boat-ſtealers guilty of Felony.

V. AND it is further enacted and declared, That if the Intention, Contrivance, or Complotting of any Perſon with others to ſteal away any Shallop, Canoe, Boat, Wherry, or other Veſſel, ſhall evidently appear, by ſufficient Proof, or their own Confeſſion, the Offender or Offenders, if free, ſhall be condemned by Juſtice in Seſſions to pay the Sum of Two thouſand Pounds of Sugar to their Majeſties, their Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and if the ſaid Perſon ſo found guilty ſhall not preſently pay the ſaid Sum of Two thouſand Pounds of Sugar, or give Security for the ſame, the Juſtice in Seſſion ſhall preſently for the Payment thereof expoſe the Offenders to publick Sale for the Payment thereof, not exceeding the Term of Four Years; but if the ſaid Perſon or Perſons ſo offending ſhall be Servants, then he or they ſhall be ordered by the Juſtice in Seſſions to be whipt, not exceeding Thirty nine Laſhes on the bare Back, in ſome publick Place of the ſaid Iſland; and alſo that he or they ſo offending ſhall, after their Time expired by Indenture, Cuſtom, or Covenant with his or their Maſter, Miſtreſs, or Employer, be ſold by the Juſtice in Seſſions for Four Years, and the Money that he be ſold for ſhall be to their Majeſties, their Heirs and Succeſſors, for and towards the Support of the Government of this Iſland.

Penalty on Perſons contriving to ſteal Boat, &c.

By his Excellency *Chriſtopher Codrington* Eſquire, Captain-general, and Governor in Chief in and over their Majeſties *Charibbee* Iſlands in *America*, and the Honourable the Lieutenant-governor, Council, and Aſſembly, the ſeveral Repreſentatives for the Iſland of *Montſerrat*, &c.

An

An Act to reſtrain the Inſolence of Slaves, and for preventing them from committing any Outrages, as alſo the better ordering ſuch Slaves, &c.

1693. No 36.

WHEREAS it is notorious, that the Negroes not only commit grievous Outrages upon the Inhabitants by ſtealing and carrying away their Cattle, and other Stock raiſed for their Subſiſtence, but are likewiſe in many Places of this Iſland got together in ſuch Numbers as to threaten the Diſturbance of the Peace and Quiet of the ſame; we therefore pray their Majeſties that it may be enacted, and it is hereby enacted by the Authority aforeſaid, That henceforward, where any Negro ſhall be taken ſtealing or carrying away Stock, Cattle, or Proviſion amounting to the Value of Twelve Pence, ſuch Negro or Negroes taken therein, ſhall, upon due Proof thereof before the Governor and Council, ſuffer ſuch Death as they ſhall think fit to award; and when any Negro ſhall have any Theft proved againſt him, and the Value not amounting to Twelve Pence current Money of this Iſland, that then, and in ſuch Caſes, ſuch Negro ſhall only ſuffer a ſevere whipping, and have both his Ears cut off for the firſt Time, but for the ſecond Offence in the like Nature ſhall ſuffer Death in the Form aforeſaid, the Publick paying the Owner for every Negro put to Death the Sum of Three thouſand five hundred Pounds of *Muſcovado* Sugar.

Negroes ſtealing to the Value of 12*d.* to ſuffer Death:

Or under that Value, Whipping.

Second Offence, Death.

This Sum is altered by a ſubſequent Act paſſed in 1714-15.

II. AND foraſmuch, through the Negroes ſtealing and deſtroying poor Peoples Proviſions, they are quite diſcouraged from planting what they expect not to reap, be it moreover enacted and provided, That it ſhall and may be lawful for any Perſon to ſhoot at, and if poſſible to kill any Negro he ſhall find digging out, drawing, or ſtealing his Proviſion, provided ſuch Proviſion be not within Forty Foot of the common Path, and that the Party ſo killing the Negro hath not, in the hearing of others, expreſſed either Hatred or Malice againſt the Owner of ſuch Negro, for in either Caſes the Owner of ſuch ſhall recover Damages to the full Value of any who ſhall ſo kill their Negro.

Negroes may be ſhot ſtealing Proviſions above 40 Foot from the Path.

III. AND ſince by the often and frequent meeting of the Negroes on the Lord's Day, moſt of the Miſchiefs which happen are then by them ploted and contrived; and ſeeing Maſters, Miſtreſſes, and Overſeers are very negligent in their ſeveral Plantations, be it therefore further enacted and ordained, That no Perſon whatſoever, being Owners or Overſeers, give Leave to any Negro Slave under their Ownerſhip or Charge, to depart or leave their Plantations on the *Sunday* without a Ticket, expreſſing his or their Buſineſs, and whither going, upon Penalty of Three hundred Pounds of Sugar, and having their Negroes ſeverally whipped by the Owner or Owners of ſuch Plantations where they ſhall be found or taken without a Ticket; and any Owner of a Plantation or Overſeer, who ſhall neglect to puniſh as aforeſaid any Negro without a Ticket being found in his Plantation, or under his Care or Charge, ſhall forfeit the Sum of Three hundred Pounds of Sugar.

No Negroes to leave their Plantations on a *Sunday* without a Ticket.

Penalty on not enforcing this Law.

IV. AND it is further provided by the Authority aforeſaid, That once in every Month, every Maſter, Miſtreſs, or Overſeer of a Family ſhall throughout all his Negro Houſes make diligent Search for, and ſeize upon all Slaves Clubs or miſchievous Weapons they ſhall there find, as alſo all ſtolen Goods and Commodities as ſhall be found, if of any Value, ſhall publiſh the ſame, deſcribing the Quantity and Quality thereof, that thereby

1693. the Owners may be the better able to claim it in Order, and upon full Proof made it was theirs, it may be reſtored them; and for Fleſh of any Sort that ſhall be found, the Negro in whoſe Houſe it was taken, unleſs he or ſhe can make it plainly appear they came by it honeſtly, ſhall undergo a Whipping, and have one of their Ears cut off.

Negroes ſtealing Fleſh, to be whipped, and loſe an Ear.

Proviſo. V. PROVIDED always, and be it further enacted, That where there are more in Number than one Slave concerned in any heinous or grievous Crimes, as Burglary, Robbery, burning of Houſes or Canes, killing or ſtealing any Manner or Kind of Cattle or Stock, only one of them ſhall ſuffer Death, who ſhall appear to be the greateſt Criminal.

Penalty on not raiſing the *Poſſe* to quell Negroes. VI. AND it is further enacted and provided by the Authority aforeſaid, That all Commiſſion Officers within this Iſland are hereby impowered and required, upon Notice by any one to them given, of any Number of Negroes got together, and the Place where, immediately upon the ſame to raiſe a ſufficient Number of Men, and with them to purſue, apprehend, and take ſuch Negroes, either alive or dead: And whatſoever Commiſſion Officer ſhall neglect, or other Perſon refuſe to be aiding and aſſiſting herein, ſhall forfeit the Sum of Two thouſand Pounds of Sugar.

Penalty on not planting ſufficient to maintain Negroes. VII. AND whereas ſome Maſters and Miſtreſſes, or Overſeers of Plantations, are ſo careleſs as not to put in a Competency of Proviſion for their Slaves, whereby they are often forced to run away, or at leaſt to commit Thefts and Robberies upon their Neighbours; be it further enacted, and it is hereby provided, That all Maſters, Miſtreſſes, and Overſeers of any Plantations within this Iſland, at all Times after the Expiration of Ten Months enſuing the Publication hereof, ſhall have and always keep for every Eight Negroes one Acre of Ground well planted in Proviſions, and ſo proportionably for a greater or leſſer Number, which whoſoever ſhall neglect after the Ten Months ended, that then at the End of every Six Months for every Acre ſo wanting ſhall forfeit the Sum of One thouſand Pounds of Sugar.

Penalty on Slaves fighting. VIII. AND it is moreover provided and enacted, That where Two Slaves ſhall fall out and fight, and one maim or kill the other, it ſhall lie at the Perſon's Diſcretion, whoſe Negro ſhall be either maimed or killed, whether for the firſt Offence the Negro who committed the ſame ſhall ſuffer whipping, or for the latter Death, or to receive ſuch Satisfaction of the Owner of ſuch Negro as the Governor and his Council ſhall adjudge ſufficient.

Penalty for attempting to ſteal any Veſſel, &c. IX. AND be it further enacted by the Authority aforeſaid, That where any Perſon ſhall attempt to ſteal or take off this Iſland, in any Ship, Boat, Sloop, Canoe, Bark, Logg, or other Veſſel, any Negro or Negroes, ſhall, for offering the ſame, forfeit Five thouſand Pounds of Sugar, or lie in cloſe Priſon for the Space of Six Months; and whatſoever Perſon or Perſons

or carrying off Negroes. ſhall ſteal and carry off from this Iſland any Negro or Negroes in any ſuch Veſſel or Veſſels, as aforeſaid, ſhall and are hereby eſteemed and adjudged guilty of Felony, and ſhall not have the Benefit of their Clergy.

Reward for taking runaway Slaves. X. AND be it further enacted by the Authority aforeſaid, That where any White ſhall take a Slave, and bring him in dead or alive; if alive, ſhall have paid paid him by the Owner of ſuch Negro or Slave the Sum of Five hundred Pounds of *Muſcovado* Sugar; where dead, the ſame Sum out of the publick Stock of this Iſland; and where any Slave ſhall take a Runaway, ſuch Negro Slave ſhall have Three hundred Pounds of Sugar, either by the Owner or Publick, as aforeſaid.

Power to ſearch Plantations for ſtolen Goods. XI. AND be it moreover enacted, That any Perſon upon Loſs of any Cattle, Stock, or other Proviſion, may immediately, without going to a Juſtice of Peace, or requiring a Warrant, repair to any Plantation or Plantations whereof he ſhall have Suſpicion, and there, taking the Maſters, Miſtreſſes, or Overſeers of the ſame along with him, ſhall have full Power to ſearch all and ſingular the Negro Houſes, or other Houſes belonging to ſuch Plantation

tation or Plantations, and if need be break open any thereof; and any Maſter, Miſtreſs, or Overſeer of a Plantation, who ſhall make any Reſiſtance, or obſtruct them therein, ſhall pay to the Party who hath ſuſtained any Loſs, double the Value thereof. 1693.

XII. AND inaſmuch as there are ſeveral Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they ſhall be recovered, and how diſpoſed of, be it further enacted by the Authority aforeſaid, That one Moiety be to their Majeſties, their Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other to the Informer; to be recovered by Action of Debt in any Court of Record within this Iſland, by Bill, Plaint, or otherwiſe, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Diſpoſition of Fines.

XIII. AND be it further provided and enacted, That any Negro or Slave within this Iſland that ſhall abſent themſelves from their Maſters or Miſtreſſes Service for the Space of Three Months, and afterwards taken and convicted thereof, ſhall ſuffer Death as a Felon; any Law, Uſage, or Cuſtom to the contrary notwithſtanding; the Owner of the ſaid Negro to be allowed him out of the Publick Stock of this Iſland Three thouſand five hundred Pounds of Sugar, as is before provided in this Act. Slaves taken after 3 Months Abſence, to ſuffer Death, and paid for out of the publick Stock.

By his Excellency *Chriſtopher Codrington* Eſquire, Captain-general, and Governor in Chief in and over their Majeſties *Leeward Charibbee* Iſlands in *America*, the Honourable the Preſident and Council, the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſaid Iſland:

An Act for the encouraging the Importation of white Servants. N° 37.

FORASMUCH as this Iſland hath by the laſt Expedition, Sickneſs, and other Caſualties, ſuſtained great Loſs in the Deaths of white Men, to the great weakening of the ſame; and whereas no fitter Expedient can be propoſed than encouraging the Importation of white Servants, for the ſtrengthening and better Defence of their Majeſties Iſland (eſpecially in this hazardous Time of War with the *French*) and to the Intent alſo that all due Encouragement may be given Merchants, Maſters, and Employers of white Servants to bring the ſame, and may not be diſcouraged, and their Servants lie upon their Hands for want of Buyers, we pray their Moſt Excellent Majeſties that it may be enacted and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That all Merchants, Maſters, and Employers of white Servants ſhall have paid them out of the publick Stock of this Iſland, within One Month, for each able *Engliſh*, *Scotch*, or *Welſh* Man, above the Age of Sixteen, and under the Age of Forty Years, which Reward for importing white Servants.

1693. ſhall be landed or delivered on Shore to the Marſhal, or other Perſon appointed for the receiving of them, the Quantity or Sum of Two thouſand five hundred Pounds of good merchantable *Muſcovado* Sugar, at ſome convenient Shipping-place in this Iſland. Provided that the ſaid Servants be by Indenture, Contract, or otherwiſe compelled or obliged to ſerve the full Term of Four Years, from and after the Day of his Arrival in this Iſland.

Reward for importing 20 white Male Servants.

II. AND be it further enacted, That whatſoever Maſter or Commander of any Ship or Veſſel ſhall bring in or import to this Iſland to the Number of Twenty white Male-ſervants at one time, and due Proof upon Oath being made thereof before the naval Officer, who is hereby impowered to adminiſter the ſame, ſhall for that Voyage be altogether freed and exempted from paying any Port-charges for the ſaid Ship or Veſſel wherein the ſaid Servants ſhall be imported; any other Cuſtom or Law notwithſtanding.

White Servants to be diſpoſed of as the Governor, *&c.* ſhall think proper.

III. AND be it further enacted, That the Governor for the time being, with Two of the Council, and Two of the Aſſembly of this Iſland, are and ſhall be hereby authorized to ſell, ſend, or place One, Two, or more Servants ſo imported to any Plantation or Plantations within this ſaid Iſland where white Servants are wanting, or where they ſhall ſee meet and convenient for the neceſſary Defence of the ſame; and that all Maſters, Miſtreſſes, chief Occupiers or Overſeers of ſuch Plantation or Plantations ſhall be, and are hereby obliged to receive them, he, ſhe, or they paying within one Month after Receipt of the ſaid Servants, the Sum of Two thouſand five hundred Pounds of Sugar *per* Head, as aforeſaid.

How to recover the Money due for white Servants.

IV. AND be it further enacted by the Authority aforeſaid, That any Debt or Debts contracted, ariſing or accruing due from any Perſon or Perſons whatſoever, for ſuch Servant or Servants ſold or diſpoſed of within this Iſland in Manner aforeſaid, ſhall or may be recovered by Warrant of Diſtreſs from any Juſtice of Peace, directed to the Marſhal, Deputy, or Conſtable, to levy the ſaid Debt or Debts on the Party's Goods and Chattels, to whom the ſaid Servant or Servants ſhall be ſold, ſent, or placed, as aforeſaid, who by virtue thereof ſhall expoſe the ſame to Sale, returning the Overplus, if any be, to the Owners.

Money may be levied on Overſeers, for white Servants.

V. AND foraſmuch as there are ſeveral Plantations in this Iſland whoſe Owners or Poſſeſſors employ Attornies or Overſeers to manage them, who reap no other Benefit by the ſaid Plantation than their yearly Salaries or Wages; we pray that it may be enacted and ordained, That if ſuch Perſons as are hereby impowered to ſell or diſpoſe of imported Servants in Manner as aforeſaid, ſhall think fit to ſend any Servant or Servants to ſuch Plantations, that then it ſhall and may be lawful, on the ſaid Attornies or Overſeers their Refuſal to pay for any Servant ſo ſent or placed, to diſtrain the Goods and Chattels belonging to ſuch Plantation or Plantations in Manner and Form aforeſaid, and the ſame ſo diſtrained to diſpoſe of in Manner as aforeſaid, rendering the Overplus, if any be, to the ſaid Attornies or Overſeers.

Slaves not to be employed in Trades.

VI. IT is hereby enacted by the Authority aforeſaid, That within Six Months after the Import of Two hundred white Male-ſervants, no Perſon or Perſons whatſoever, employing themſelves or Slaves in the Exerciſes of Coopers, Smiths, Taylors, Carpenters, Sawyers, Maſons, or Shinglers, within this Iſland, ſhall uſe any Negro, Slave or Slaves, in the ſaid Trades or Occupations, under the Penalty of Four thouſand Pounds of Sugar, to be recovered by Warrant from any Juſtice of Peace, in Manner as is directed in an Act, intituled, *An Act for preventing Abuſes that ariſe by Perſons going aboard before the Maſter hath made his Appearance to the Governor, and for the better ordering Boats and Wherries.* Provided alſo, That nothing herein be conſtrued to prohibit any Maſter or Owner of any Sugar Work within

Vide N° 35.

Proviſo.

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in this Iſland from making Caſk at their reſpective Plantations; any thing in this Act to the contrary notwithſtanding. 1693.

VII. And inaſmuch as there is great Difference in the Value and Worth of Servants, yet by this Act no Regard is had thereto, leſt it may diſcourage the Importation of them, contrary to the Intent and Meaning hereof, be it further enacted by the Authority aforeſaid, That it ſhall be in the Power and lie in the Breaſt of ſuch Perſons as are hereby authorized to ſell and diſpoſe of the Servants aforeſaid, to advance on the Value of the beſt and moſt able Servants, and to mitigate and abate in the ſaid Value of Two thouſand five hundred Pounds of Sugar hereby ſet upon them, ſo much as they ſhall judge any Servant, through Impotency or Sickneſs, to fall ſhort of the Price hereby allowed, that Equality may be extended to all. Price of Servants regulated.

VIII. And inaſmuch as ſeveral evil Members in this Iſland do enveigle and entice Servants and Slaves before they are acquainted with the Laws and Cuſtoms of this Iſland, to ſquander away, imbezil, or conſume their Maſters, Miſtreſſes, or Employers Goods, be it enacted by the Authority aforeſaid, That no Perſon or Perſons preſume to trade or deal with any white Servant, Negro, or Slave whatſoever, without their Maſters or Miſtreſſes Conſent, or Certificate under their Hands to that Purpoſe, on the Penalty of forfeiting to the Maſter or Miſtreſs of ſuch Servant, Negro, or Slave, treble the Value of the things traded for, bought, or ſold, and alſo One thouſand five hundred Pounds of Sugar, to be recovered by ſuch Maſter or Miſtreſs, by Action of Debt in any Court of Record in this Iſland; and in caſe of the ſaid Perſon's Nonability, to be puniſhed by Corporal Puniſhment, at the Diſcretion of the next Juſtice of the Peace; and all Contracts made with Servants, Negroes, or Slaves, to be utterly void. Penalty on trading with Servants or Slaves.

By his Excellency *Chriſtopher Codrington* Eſquire, Captain-general, and Governor in Chief in and over their Majeſties *Leeward Charibbee* Iſlands in *America*, the Honourable the Preſident and Council, the Gentlemen of the Aſſembly, the ſeveral Repreſentatives of the ſaid Iſland:

An Act for ſettling the Militia of this Iſland. N° 38.

WHEREAS the continual Danger this Iſland is in of being attacked or ſurprized by Enemies, Privateers, or Pirates (more eſpecially during this preſent War with the *French* King, whoſe Iſland being the neareſt Neighbours, cauſes it to be ſo much the more perilous) requires that a more particular Care be taken for its Defence, which cannot reaſonably be hoped will be effected, except the Inhabitants be always provided with good Arms, and duly trained and exerciſed in the Art Military; we therefore pray their Moſt Excellent Majeſties that it may be enacted, and it is hereby enacted and ordained by his Excellency the General, the Council, and Aſſembly of this Iſland, That no Perſon whatſoever, from the Age of Fifteen to Sixty Years, ſhall remain unliſted by themſelves, Maſters, Miſtreſſes, or Employers,

1693.

ployers, under the Captains of the reſpective Places of their Abode, in Foot or Horſe, the Space of Six Weeks, on Penalty of Three hundred Pounds of Sugar, and ſo for every Six Weeks ſuch Perſons ſhall remain unliſted: And that every Foot Soldier ſhall be provided with a well fixed Muſket or Fuzee, and a good Sword, a Cartouch Box, and Six Charges of Powder and Ball, and ſo ſhall appear when and where appointed by his ſuperior Officer, upon Penalty of Fifty Pounds of Sugar for his Default, or his not appearing, and Twenty five Pounds of Sugar for want of either Gun, Sword, Cartouch Box, Powder, or Ball; and that every Soldier belonging to the Horſe ſhall, when and where commanded by their ſuperior Officer, appear and be provided with a good Horſe, Saddle with Holſters, Breaſt-plate, and Crupper, a Caſe of good Piſtols, a Sword, Carbine, or Fuzee, and half a Pound of Powder and Ball, proportionably for Piſtols, Carbine, or Fuzee, on Penalty of Fifty Pounds of Sugar on each Time of Abſence, and Twenty five Pounds of Sugar for Default, or want of each of the foregoing Particulars; and that every Foot Soldier ſhall always have at his Habitation, or uſual Place of Abode, one Pound of good Powder, and Three Pounds of Bullets ſizeable to the Gun he bears; and every Trooper ſhall have at his Habitation, or uſual Place of Abode, Two Pounds of good Powder, and Six Pounds of Bullets ſizeable to his Piſtols, Carbine, or Fuzee, and upon any ſpecial Order from his ſuperior Officer, ſhall bring the ſame into the Field, on Penalty of Fifty Pounds of Sugar for Default or want thereof, and the like Sum for not bringing into the Field when thereunto commanded.

How Soldiers are to be armed, &c.

II. And foraſmuch as many Perſons have and do pretend, that the Reaſon of their being in want of Arms is becauſe they are not to be bought, it is the true Intent and Meaning of this Act, That no Perſon that is not already ſupplied ſhall be a Sufferer, or pay the Penalty hereby appointed for want thereof, but ſuch as ſhall be informed by their Commander or other ſuperior Officer where ſuch Arms are to be bought; and after ſuch Information given, each and every Perſon that ſhall not ſupply themſelves in Ten Days Time, ſhall be taken and deemed to be Offenders againſt this Act, and ſhall pay all Penalties and Forfeitures hereby appointed.

Manner of providing Arms.

III. And it is further enacted and ordained by the Authority aforeſaid, That no Perſon ſo liſted, as aforeſaid, ſhall depart thence without a Diſcharge from the Commander of the Company where he is liſted, on Penalty of Three hundred Pounds of Sugar; and that no Commander of any Company refuſe, when deſired, to give a Diſcharge in Writing to any Perſon that is removing his Abode to another Diviſion: And if any Commander, after having Notice from the Party that he is removed, ſhall deny and delay the giving ſuch Diſcharge by the Space of one Month after ſuch Information, ſhall pay the Sum of Six hundred Pounds of Sugar, the one Moiety or half Part to the Party aggrieved, the other Moiety or half Part to their Majeſties, their Heirs and Succeſſors, for the Support of the contingent Charges of this Government.

Diſcharge for Perſons removing their Habitations.

Penalty on Officers Refuſal.

IV. And it is hereby further enacted and ordained, That the Captain or Commander of each Company ſhall every Three Months make diligent Search and Enquiry in their ſeveral Diviſions, that all be duly liſted, armed, and equipped, as by this Act is appointed, and ſhall every Six Months return to the Lieutenant-governor or Commander of the Military Forces of this Iſland a juſt and true Account of all ſuch Defaults as ſhall be found, to the End they may be reformed.

Officers to ſearch for Defaulters every 3 Months.

V. And it is further provided, That if the Captain or Commander of a Company ſhall deny, refuſe, or be wilfully negligent therein, and thereof being convicted by a Court-martial, ſhall forfeit and pay the Sum of Ten Pounds Sterling to their Majeſties, their Heirs and Succeſſors, for and towards the Support of this Government, and the contingent Charges thereof.

Penalty for Officers making Default.

IV. Be

1693.

VI. Be it hereby further enacted and provided, That if any Perſon that is a Covenant Servant ſhall incur any the Penalties by this Act appointed, the Penalty ſhall be paid by ſuch Maſter or Miſtreſs of the Servant, except they bring ſufficient Proof, to be allowed of by the Captain of the Company, that they have fitted out ſuch Servant as by the Act is appointed, and that the Servant has, through Negligence or Idleneſs, loſt or otherwiſe conveyed away ſuch Arms and Ammunition as he has been ſupplied with, and on ſuch Proof, and ſo allowed of, every ſuch Maſter or Miſtreſs ſhall be diſcharged of the Penalty, and every Servant ſo offending ſhall by his Captain be cauſed to be well whipped on his bare Back at the Head of his Company.

Servants imbezilling Arms, &c. to be whipped.

VII. And foraſmuch as the ſeveral Officers are oftentimes negligent of their Duty, which is a very ill Example to the Soldiers they command, and what makes them ſo is their knowing that their Puniſhment for ſuch Neglect is no more than to be caſhiered their Command, which perhaps ſome of them are as willing to quit as to hold; for Prevention thereof for the future, be it enacted and ordained, and it is hereby enacted and ordained by the Authority aforeſaid, That all and every Officer that ſhall be negligent of his Duty, and thereof convicted by a Court-martial, ſhall be liable to ſuch Forfeitures and Penalties, as ſhall be adjudged and thought fit by the ſaid Court-martial.

Officer neglecting his Duty, to be puniſhed by a Court-martial.

VIII. And to the End that no Perſon whom his Excellency the General, or the Commander in Chief for the time being, ſhall think fit to appoint to bear any Military Office in this Iſland, ſhall refuſe, or being ſo commiſſionated or appointed ſhall quit or lay down his Commiſſion, be it hereby enacted by the Authority aforeſaid, That all and every Perſon or Perſons ſo refuſing or quitting, ſhall forfeit the ſeveral Sums of Sugar as followeth (*viz.*) Every Perſon appointed a Lieutenant-colonel, Ten thouſand Pounds of Sugar; every Major, Eight thouſand Pounds of Sugar; every Captain, Six thouſand Pounds of Sugar; every Lieutenant, Four thouſand Pounds of Sugar; Every Enſign, Three thouſand Pounds of Sugar; and every Serjeant, Two thouſand Pounds of Sugar, to be paid to their Majeſties, their Heirs and Succeſſors, towards the Support of this Government, and the contingent Charges thereof, to be levied by Diſtreſs and Sale of the Offenders Goods and Chattels, and the Overplus (if any be) to be rendered the Owners.

Penalties for laying down Commiſſions.

IX. And whereas ſeveral of the Inhabitants of this Iſland, to evade their being liſted in the Foot, do or pretend they ride in the Troop, but indeed do very little or no Duty in either; for Prevention whereof, it is hereby enacted and ordained, That there ſhall be but one Troop of Horſe in this Iſland, and that to conſiſt of Fifty Horſe, and no more, beſides the uſual Officers; and that the Captain of the Troop ſhall generally liſt thoſe which have the beſt Horſes, and well accoutred; and after the ſaid Fifty Horſe are liſted, all other Perſons ſhall liſt themſelves in the ſeveral Foot Companies of the Diviſion they dwell or abide in, under the Penalties heretofore in this Act appointed for not liſting themſelves in Horſe or Foot.

To be but one Troop of Horſe, to conſiſt of 50 Men, beſides Officers.

X. Provided always, and be it excepted, That it ſhall and may be lawful for the Captain of the Troop, as any of his Troop ſhall die or go away off the Iſland, to liſt others in their Room.

Proviſo.

XI. And whereas (next under God's Aſſiſtance) the maintaining of the reſpective Guards, and keeping them in good Order, will be the Preſervation of this Iſland, and on the contrary the Neglect thereof is of dangerous Conſequence, and yet of late nothing more common than to have them neglected; for the Prevention thereof for the future, be it enacted, and it is hereby enacted and ordained by the Authority aforeſaid, That if any Perſon or Perſons duly appointed by his ſuperior Officer to be on Guard, ſhall refuſe or neglect

Penalty on Soldiers neglecting Duty.

1693. neglect the Guard, or being thereon ſhall be found negligent of his Duty, for the firſt Offence ſhall forfeit and pay Fifty Pounds of Sugar, and thereof being convicted ſhall again commit the like Offence, ſhall forfeit and pay One hundred Pounds of Sugar, and for the third Offence ſhall be liable to ſuch further Pains and Penalties as ſhall be adjudged and thought fit by a Court-martial, not extending to Life or Limb.

Captain to appoint the Rounds.

XII. And to the End the Negligence of the Guard may be the better diſcovered, it is hereby enacted and ordained, That the Captain of the Troop ſhall every Night in War Time, and once in Three Months in Time of Peace, appoint Rounds to ride to all the Guards, which Round ſhall be Two of the Troop at leaſt, and ſhall examine each reſpective Guard, and if they find any Perſon that is appointed to guard, abſent, or being there, neglecting his Duty, they ſhall inform thereof their ſuperior Officer; and if any one of the Troop ſhall refuſe or neglect to ride the Rounds when he is appointed, or riding the Rounds ſhall neglect to inform his ſuperior Officer of the Abſence or want of Duty he ſhall find in the ſeveral Guards, ſhall for the firſt Offence forfeit and pay the Sum of One hundred Pounds of Sugar, and Two hundred Pounds of Sugar for every the like Offence by him or them committed.

Penalty.

Proviſo.

XIII. Provided always, and be it excepted, That if any Perſon not appearing to ride the Rounds on his Guard, ſhall find one ſufficient Man to ride the Rounds or Guard in his Place, it ſhall excuſe him from the Penalties by this Act appointed.

XIV. And whereas the ſeveral Places of this Iſland known or called by the Name of *Bransby*'s *Bay*, the *Old Road*, and *Carl Bay*, being more remote, and not ſo well inhabited as other Parts of the Iſland, and ſo more in Danger of being ſurprized by Pirates or Privateers; it is hereby enacted and ordained by the Authority aforeſaid, That there ſhall be in War Time a ſtanding Guard kept at each and every of the ſaid Places, which Guard ſhall be and conſiſt of Four Men at leaſt, and ſhall be paid by the Treaſurer out of the publick Treaſury of this Iſland every Quarter; and the Chief Military Officer in each of the ſaid Diviſions is hereby impowered to hire and agree with ſuch and ſo many Perſons as are fitting for the ſaid Service, whoſe Certificate ſhall from time to time be a ſufficient Authority for the Treaſurer to pay every Man his reſpective Salary as it becomes due.

Guard to be kept at *Bransby*'s *Bay*, &c.

Diſpoſition of the Soldiers Fines.

XV. And be it further enacted by the Authority aforeſaid, That the ſeveral Fines and Forfeitures mentioned in this Act, and not declared in what Manner they ſhall be recovered, and hereby diſpoſed of; that all ſuch as do relate to any Perſon under the Degree of a Captain ſhall be to the reſpective Captains, to defray the Charges of their Companies and Troops, and to be levied before the next Exerciſing Day by Diſtreſs and Sale of the Offender's Goods by the Captain's Warrant to the Serjeant or Corporal, and if no Diſtreſs be found, the Puniſhment to be riding the Wooden Horſe, or being tied Neck and Heels, not exceeding one Hour, at the Diſcretion of the Captain; and for all other Penalties by this Act appointed, the ſame ſhall be levied by the Diſtreſs and Sale of the Offender's Goods, by Warrant from the Lieutenant-governor, or Commander of the Military Forces of this Iſland, to and for their Majeſties, their Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof.

Officers Duty in relation to Fines.

XVI. And it is hereby further enacted and ordained by the Authority aforeſaid, That every Captain of the Company or Troop ſhall keep a juſt Account of all Forfeitures and Penalties he ſhall recover and receive by virtue of this Act; and when any one Captain ſhall receive to the Value of Two thouſand Pounds of Sugar, he ſhall be obliged to furniſh his

Company with new Colours and Drums, leading Staff and Halberts, and the Captain of the Troop with new Trumpets and Standard, under the Penalty of Two thouſand Pounds of Sugar, and ſo for every Six Months the Company or Troop ſhall remain unprovided, if they are to be bought in the Iſland; and whatſoever Forfeitures they ſhall receive more and over and above the ſaid Two thouſand Pounds of Sugar, ſhall be for to defray other contingent Charges of the Company. 1693.

XVII. AND it is hereby further enacted and ordained, That once every Month, or oftner, if the Lieutenant-governor ſhall give Command, the reſpective Companies and Troop ſhall meet at their uſual training Place, to be then and there muſtered, exerciſed, and trained in the Art Military. Muſtering Times, when.

XVIII. AND it is further enacted and ordained by the Authority aforeſaid, That during the Time the ſaid Officers and Soldiers are in Arms, they ſhall obſerve and keep all and every of the Laws and Articles of War, and give all due Obedience to their reſpective Officers; which Laws and Articles his Excellency the General, with the Advice of a Council of War, is hereby humbly deſired to make and eſtabliſh; and the Lieutenant-governor is to give out Copies of the ſaid Articles to the reſpective Captains under his Command, that the ſame may be publickly read once every Six Months unto the Soldiers whilſt they are in Arms, that all Perſons may the better know and obſerve their Duties: And if any of the ſaid Officers or Soldiers ſhall, when they are out of Arms, endeavour to take Revenge by Force for any thing his or their ſuperior Officer ſhall lawfully do in Purſuance of his or their Duty, and this Act, the ſaid Officers and Soldiers ſhall be puniſhed for the ſame as ſhall be adjudged by a Court-martial, as if the Offence had been done in Time of Service or Exerciſe, provided the ſaid Puniſhment do not extend to Life or Limb. Duty of Soldiers under Arms; and off of Duty.

XIX. AND be it further enacted by the Authority aforeſaid, That once every Year, or oftner, if thereunto commanded, each particular Captain ſhall give in to the Lieutenant-governor, or Commander for the time being, a fair written Roll of their reſpective Companies; and if any Perſon upon any Invaſion, or other publick Military Service, be wounded or diſabled, he ſhall be cured and maintained out of the publick Treaſury of this Iſland; and if any Perſon whatſoever ſhall be ſued, moleſted, or impleaded for any thing lawfully commanded or done in the Execution and Purſuance of this preſent Act, he ſhall plead the General Iſſue, and give this Act in Evidence, and ſhall thereupon, if found for him, recover Coſts of Suit, and treble Damages. General Orders for the Soldiery.

XX. PROVIDED always, and it is hereby further enacted and declared by the Authority aforeſaid, That no Perſon ſhall endure the Penalties by this Act appointed for not liſting himſelf, except he ſhall have been warned or ſummoned ſo to do by ſome Officer of the Diviſion where he abodes or reſides in; alſo, that no Gentleman of the Council or Aſſembly, the Officers of their Majeſties Revenue, the Secretary and Marſhal of this Iſland, or any the Clergy, ſhall incur the Penalties appointed by this Act, except he or they be a Commiſſion Officer in this Iſland. Proviſo.

XXI. AND for the more convenient making Alarms on the Appearance of an Enemy, and to prevent all Diſturbance in this Iſland by falſe Alarms, all Perſons are hereby to take Notice, that an Alarm ſhall be cauſed or made by firing Two great Guns from either the Fort of *King ſail*, *Plymouth*, *Bransbee*'s *Bay*, or the *Old Road*, and within Land, by blowing in a Trunkſhell, which every Plantation or Houſholder in this Iſland is hereby obliged to have in each reſpective Plantation or Houſe, and cauſe it to be blown in on any Notice of an Alarm, or hearing of it ſounded from other Plantations, under the Penalty of One hundred Pounds of Sugar for every Month each Plantation or Houſholder ſhall be without a Trunkſhell, and the like Sum for not cauſing it Directions for Alarms.

1693. it to be blown or ſounded in, on any Notice of an Alarm, or hearing of it ſounded from other Plantations; to be recovered by the ſeveral Captains in each Diviſion, as by this Act is appointed for not liſting.

Penalties for unſeaſonable firing Guns. XXII. PROVIDED always, That no Perſon ſhall be levied or diſtreſſed upon for more than Two thouſand Pounds of Sugar at any one Time; and that no Perſon whatſoever ſhall hereafter preſume to fire any ſmall Arms after Eight of the Clock at Night, except in the Time of Alarm or Service, under the Penalty of Twenty Pounds of Sugar for each Gun ſo fired; and that no Maſter of any Ship or Veſſel riding at Anchor in any the Roads or Bays of this Iſland, or any other Perſon, do preſume to fire any Guns after Eight of the Clock at Night, under the Penalty of Three hundred Pounds of Sugar for each Gun ſo fired.

Proviſo. XXIII. PROVIDED always, and be it excepted, That this Clauſe ſhall not extend to any Captain or Officer of any their Majeſties Ships of War, for their firing at ſetting the Watch.

N° 39. Expired. *An Act for the eaſing of Tenants in Part from the great Taxes already raiſed and to be raiſed during the War, and aſſeſſing of Landlords.*

WHICH ſaid Laws having been preſented to his Majeſty at this Board, his Majeſty was graciouſly pleaſed, with the Advice of his Privy Council, to declare his Approbation of the ſame, and, purſuant to his Royal Pleaſure thereupon, the ſaid Laws are hereby confirmed, finally enacted, and ratified accordingly.

Wm. Bridgman.

An

1696.

An Act to enable Robert Blake *Eſquire, to ſell the Plantation of* Nicholas Lynch *deceaſed, for the Payment of his Debts.* № 40. Private.

By his Excellency *Chriſtopher Codrington* Eſquire, Captain-general, and Governor in Chief in and over his Majeſties *Charibbee Leeward* Iſlands in *America*, the Honourable Lieutenant-governor, the Council and Aſſembly of the Iſland aboveſaid.

An Act for the proportionating of the Work on the Trenches, and the Reparation of the Fort at the Town of Kingſale; *and for repairing and amending the publick Roads and Highways of the Iſland aforeſaid.* № 41.

WHEREAS the Security and Preſervation of this Iſland doth in a great Meaſure depend on the keeping the Breaſt-works or Trenches, as alſo the Fortifications in good Repair, and to the Intent the ſame might be kept in the better Order for the future, we pray his Moſt Excellent Majeſty it may be enacted, and be it hereby enacted, ordained, and declared by the Authority aforeſaid, That every twentieth working Negro in this Iſland ſhall, upon an Order iſſued out from the Lieutenant-governor, and ſummoned thereupon, be ſent by the ſeveral Maſters, Miſtreſſes, or Overſeers, to the Fort at *King ſale* with Houghs, Shovels, Pickaxes, or ſuch other Utenſils as ſhall be neceſſary for the Reparation and amending the ſame, and ſo to continue until the Work be finiſhed; and if any Maſter, Miſtreſs, Owners or Overſeers of any ſuch Negro or Negroes, ſhall neglect or refuſe to ſend them, as aforeſaid, they ſhall forfeit and pay for every Negro ſo neglecting or refuſing to come to the ſaid Work, the Sum of Twenty Pounds of Sugar, to be collected by the Treaſurer, or his Deputy, who is by virtue of this Act impowered to diſtrain on the Goods and Chattels of any Perſon or Perſons ſo offending, and the ſame to ſell at publick Outcry, rendering the Overplus, if any be, to the Owner or Owners thereof, except he or they ſhall, within Fourteen Days Time, redeem the ſame, by paying the ſaid Penalty, which is to be employed for and towards the defraying the publick Charges of this Iſland.

Negroes to be ſent to repair *King ſale* Fort.

Penalty.

II. MOREOVER it is hereby enacted and ordained by the Authority aforeſaid, That whenever it ſhall be thought neceſſary by the Lieutenant-governor, Council, and Aſſembly, to repair the Trenches in the Iſland aforeſaid, it ſhall be done in Manner and Form following (that is to ſay) All the working Negroes in the *Windward*, *Middle*, and *White River* Diviſions, ſhall repair, mend, or make all the Trenches and Breaſt-works from the *Old Road River* to the *Cove Caſtle*, in the *White River* Diviſion, under the Forfeiture and

Negroes to repair the Trenches, &c.

1696. Penalty aforeſaid, and likewiſe all the working Negroes in the *Northward Diviſion* ſhall repair and amend the Trenches from the *Old Road River* to *Carr*'s *Bay*, in ſuch Manner as they have hitherto done, under the Penalty aforeſaid.

Negroes to raiſe a Cave.

III. AND further it is hereby enacted and ordained by the Authority aforeſaid, That the ſeveral Negroes ſhall be ſent to work on the Fort according to the Liſt taken in the ſaid Diviſions, for the raiſing a Cave.

Families to be joined in ſending Negroes.

IV. AND whereas there are ſeveral Inhabitants in each Diviſion which have not the Number of Twenty working Negroes, it is hereby ordered and appointed, That the ſeveral Repreſentatives for each Diviſion do forthwith, after the Publication hereof, join ſo many Families together as they ſhall ſee fit, in order that a due Proportion of every Twentieth Negro may be ſent to work, according to the true Intent hereof; which Calculation ſhall be by them certified to ſuch Perſon as ſhall be by the Lieutenant-governor and Council appointed to overſee or ſurvey the ſaid Work.

Charges of Workmen to be paid out of publick Stock, &c.

V. AND alſo it is hereby enacted and ordained, That what Charges may ariſe or become due to any Handicraftſmen, as Carpenters, Sawyers, and Maſons, for their Labour, ſhall be borne and paid out of the publick Stock of this Iſland, as alſo what Proviſions ſhall be allowed them whilſt employed on the Work.

What Highways are to be repaired, and how,

VI. FURTHERMORE it is hereby enacted and ordained by the Authority aforeſaid, That whenever and as often as the Highways and Roads of this Iſland ſhall need Reparation, that it ſhall be done in Manner following (that is to ſay) Upon the Governor's Orders to the Juſtices of Peace in each Diviſion, to iſſue out his Warrant to the Conſtable to ſummon the ſeveral Inhabitants to amend and repair the Highways, they are by virtue of this Act to ſend all ſuch working Negroes as they, or any of them, have in the *Windward Diviſion*, to mend and repair the publick or ancient Highways from *Nineturne Gutt* to *Bottomleſs Gutt*, and ſo to *Tarr River*; and thoſe of the *White River* Diviſion to mend and repair the Highways from *Tarr River* towards the Town of *King ſale*, until they come to *Read*'s *Gutt*; the Inhabitants of the *Middle Diviſion* to ſend their Negroes to mend and repair the Highways, as aforeſaid, from *Nineturne Gutt* to the *Old Road River*, and *Read*'s *Gutt*; the Inhabitants of that Part of the *Northward Diviſion* that lies between the *Old Road River* and *Soldiers Gutt*, to mend and repair the Highways from the ſaid River to the Bottom of the ſaid Gutt; and the reſt of the Inhabitants of the *Northward Diviſion* to mend and repair the Highways from the Bottom of the ſaid Gutt to *Carr*'s *Bay*, and ſo to *Bottomleſs Gutt*; and if any Perſon or Perſons whatſoever ſhall neglect or refuſe in any or either the reſpective Diviſions to ſend their Negro or Negroes to repair and amend the Highways, as aforeſaid, they ſhall forfeit and pay for every Negro he or they ſhall refuſe to ſend, the Sum of Twenty Pounds of Sugar, to be collected or diſtrained for, as aforeſaid; which Forfeitures ſhall be employed to defray the publick Charges of this Iſland.

on Penalty of 20 *lb.* of Sugar.

Highways to be viewed by 2 Repreſentatives.

VII. MOREOVER it is hereby enacted and ordained by the Authority aforeſaid, That the Highways in each Diviſion, after their being repaired, as aforeſaid, ſhall be viewed by the Two Repreſentatives for each Diviſion; and where any Part or Place ſhall be found defective, that Perſon or Perſons Negro which did ſo ſlightly do the ſame ſhall be obliged, upon Two or Three Days Warning of the Conſtable whom the ſaid Repreſentatives ſhall order to give the ſaid Perſon Notice of his Default therein, to go and repair or amend the ſaid Place, ſo as that it might be thought by the ſaid Repreſentatives ſufficient, and equal to the reſt of the ſame Highway repaired and amended, under the Penalty and Forfeiture before mentioned.

Proviſo.

VIII. PROVIDED always, and be it enacted and ordained by the Authority aforeſaid, That nothing in this Act before mentioned, nor any Part thereof,

thereof, ſhall extend or be thought to extend to diſtrain on any Perſon or Perſons for any Negro or Negroes of his or theirs which ſhall be taken either ſick or lame, or runaway out of the Service of his or their Maſters, Miſtreſſes, or Overſeer, whereby they may be uncapable of ſending them to the ſaid Work, as is before expreſſed. 1696.

IX. AND be it hereby enacted and ordained by the Authority aforeſaid, That the Treaſurer, or his Deputy for the time being, ſhall keep an exact and true Account of all ſuch Penalties and Forfeitures as ſhall be from time to time by them received or collected, and from whom, the ſame to be rendered upon Oath, if thereunto required. Treaſurer to keep an Account of Penalties collected, and from whom, on Oath.

N. B. *All thoſe Clauſes in the foregoing Act relating to the Highways ſeem to be re-enacted, and in ſome Part altered by the following Act*, N° 46; *but it does not appear that the foregoing Act was ever repealed, therefore may in ſome Parts or Caſes be put in force.*

An Act for a Donation to the Honourable Colonel Thomas Delavall, *Lieutenant-governor of this Iſland.* 1697. N° 42. Expired.

An Act for raiſing a Levy or Tax for defraying and diſcharging the publick Debts of this his Majeſty's Iſland. 1697. N° 43. Expired.

An Act to prevent the Diſputes and Controverſies which have lately happened by the Payment of Money in lieu of the Commodity made or produced in this Iſland, and to regulate the ſame for the future. 1700. N° 44.

WHEREAS of late Sugar, and other Commodities of the Produce and Manufacture of this Iſland, are advanced in their Value much more than formerly, by reaſon whereof the Merchants and Traders (who were wont to be very well content to receive Money inſtead of the ſeveral Commodities produced and made by the Planter (to ſay) Twelve Shillings and Six Pence for every hundred Pounds of Sugar, Two Shillings for

1700. for a Pound of Indigo, and ſo proportionable for the ſeveral other Commodities) do now think it a Grievance and Complaint that they are obliged to take Money for their Debts, according to the former Cuſtom, and on the other ſide the Planters do inſiſt on their old Cuſtom, and are dubious that they ſhall be preſently ruined by their Creditors Severity, ſhould the ſaid Cuſtom be infringed, and they not have the Liberty of paying Money at the uſual Price when they have no Poſſibility to procure the Commodities of the Iſland; to put an End and Determination to all ſuch Diſputes and Controverſies that have ariſen for the time paſt, and to prevent any the like for the time to come, we pray your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted and ordained by the Honourable *Edward Fox* Eſquire, Lieutenant-governor, and Commander in Chief for the time being of all your Majeſty's *Charibbee Leeward* Iſlands, the Lieutenant-governor, Council, and Aſſembly of this Iſland of *Montſerrat*, That where any Action, Writ, or Proceſs ſhall be ſued for, commenced, or brought for any Debt or Debts that have been contracted and due or owing before the firſt Day of *May*, One thouſand ſeven hundred, it ſhall and may be lawful to and for the Defendant to pay Money for and in lieu of the Commodity ſo ſued for, at the Rate and Price herein ſet down and expreſſed, *viz.* For every hundred Pounds of *Muſcovado* Sugar, the Sum of Twelve Shillings and Six Pence current Money; and for every Pound of Indigo, Two Shillings; for every Pound of Cotton-wooll ginned, Nine Pence; and for every Pound of Tobacco or Ginger, One Peny Halfpeny *per* Pound cured, and ſo proportionable for a greater or leſſer Quantity of every the ſaid Commodities.

Several Commodities rated.

II. AND be it, and it is hereby enacted and ordained, That all and every the reſpective Judges of the ſeveral Courts of this Iſland where any Action ſhall be proſecuted for any Debt or Debts, contracted, due, and owing as aforeſaid, and the Defendant ſhall in open Court tender Money in Diſcharge of the ſaid Debt at the out Price afore mentioned, ſhall cauſe the Action to abate or be diſmiſſed: And where any Execution which now is or hereafter ſhall be in the Marſhal's Hands for a Debt, contracted, due, and owing before the ſaid firſt Day of *May*, One thouſand ſeven hundred, ſhall be levied on any the Goods and Chattels, Lands, Tenements, or Bodies of the Defendants, and the ſaid Defendants, or any of them, ſhall tender Money at the reſpective Rate and Price, as afore mentioned, the Marſhal ſhall be and is hereby obliged to receive the ſame, and upon Receipt thereof to give Diſcharge to the Defendant, which ſaid Diſcharge ſhall be deemed and taken as a ſufficient Bar againſt the Plaintiff.

On Execution levied, Money may be paid inſtead of Goods.

III. ALWAYS provided, and it is hereby further enacted and ordained, That for all Debts, contracted, due, and owing for Goods ſold, or otherwiſe, from and after the ſaid firſt Day of *May*, One thouſand ſeven hundred, the Debtors ſhall and are hereby obliged to pay in the ſame *Specie* they contract and agree for; and upon any Action, Writ, or Proceſs commenced for the ſame in the ſeveral Courts of this Iſland, the reſpective Judges of the ſame ſhall (on due Proof that the Debt was contracted or created after the ſaid firſt Day of *May*, One thouſand ſeven hundred) cauſe Judgement to be entered for the Commodity that was contracted or agreed for, or for ſo much Money as the ſame ſhall be then worth, which is alſo to be valued by the ſaid Judge and his Aſſiſtants, or the major Part of them.

Proviſo.

IV. AND be it, and it is hereby further enacted and ordained, That when any Execution ſhall be delivered to the Marſhal for any Debts which have been contracted and agreed for after the ſaid firſt Day of *May*, One thouſand ſeven hundred, and the Marſhal cannot find the Commodity of the Defendant for which Judgement was entered, it ſhall and may be lawful for

him, his Deputy, and Servant, to levy the Execution on ſo much of the Goods and Chattels, Lands and Tenements of the Defendant, as when ſold (after the uſual and accuſtomed Manner) will raiſe ſo much Money as the Execution is for; and when the Execution ſhall be laid on the Body of the Defendant, he ſhall not be diſcharged until he has paid ſo much of the Commodity, or in lieu thereof ſo much Money as the Execution awards; any Law, Uſage, or Cuſtom heretofore had, made, or uſed to the contrary in any wiſe notwithſtanding. 1700. Execution may be levied on any Goods of the Defendant.

V. AND that the Marſhal may the better diſtinguiſh and know how to perform his Duty according to the Tenor of this preſent Act, it is hereby enacted and ordained, That from and after the firſt Day of *May*, One thouſand ſeven hundred, it ſhall be by the ſaid Secretary inſerted on the Record under every reſpective Judgement, that the ſame is for a Debt due before or after (as the Caſe is) the ſaid firſt Day of *May*, One thouſand ſeven hundred, which ſhall alſo by the ſaid Secretary be tranſcribed from the Record into the Foot of every Execution he ſhall iſſue from the Office, which ſhall be a Rule for the Marſhal in his further Proceſs: Always provided, That the Secretary ſhall not take or exact more than Nine Pence for every ſuch Tranſcription, and that to continue for Four Years, and no longer. Time of the Debt being due, to be inſerted on the Record.

VI. AND be it, and it is hereby further enacted and ordained by the Authority aforeſaid, That whereas the Provoſt-marſhal has, according to Cuſtom, heretofore received Money at the Price current for ſeveral Debts by Execution, he is and ſhall be hereby indemnified for what he has or ſhall hereafter (before the ſaid firſt Day of *May*, One thouſand ſeven hundred) receive according to the ſaid uſual Cuſtom; any Law, Uſage, or Cuſtom heretofore had, made, or uſed to the contrary notwithſtanding. Money at Price current, may be paid to diſcharge Debts.

An Act for quieting Mens Eſtates, and for avoiding litigious Law-ſuits for Lands and Plantations in this her Majeſty's Iſland.

№ 45. Repealed.

An Act for repairing and amending the Highways, and for preventing the cutting down or clearing the ſtanding Woods, Underwoods, Copps or Buſhes which grow by the Sides of Rivers and Brooks in this Iſland.

1702. № 46.

WHEREAS the Highways and common Roads of this Iſland are often out of Repair, which occaſions them to be very incommodious and troubleſome to Perſons paſſing or travelling therein, and no Ex-

1702.

pedient thought more fit to remedy the ſame than by making an Act to oblige the ſeveral Inhabitants in each Diviſion to repair and amend them as often as need ſhall require; we your Majeſty's moſt loyal and obedient Subjects, your Majeſty's Chief Governor of your *Leeward Charibbee* Iſlands, the Lieutenant-governor, Council, and Aſſembly of this your Iſland of *Montſerrat*, moſt humbly beſeech your Moſt Excellent Majeſty that it may be enacted and ordained, and be it, and it is enacted, ordained, and declared by the Authority aforeſaid, That as often as the Highways and common Roads of this Iſland ſhall need Reparation, it ſhall be done in Manner following; that is to ſay, the chiefeſt Freeholders in each Pariſh or Diviſion ſhall, on *Eaſter Tueſday* or *Wedneſday*, meet together at the Church to elect or chooſe Two Surveyors for mending the Highways the enſuing Year, who are to order the ſame to be done; and if either of them ſo choſen ſhall neglect his Duty in the ſaid Office, or refuſe to ſerve, ſhall forfeit Ten Pounds current Money, which if he refuſe to pay, the Judge of the Diviſion is hereby obliged, upon Complaint to him made by the Perſons that choſe them, to iſſue out his Warrant to the Conſtable to diſtrain on his or their Goods and Chattels, and expoſe ſo much thereof to publick Sale as will raiſe the Fine aforeſaid, which Fine ſhall be employed to the Uſe of the Poor of the ſaid Pariſh, or Reparation of the Church; but if the chief Freeholders of each Pariſh, as aforeſaid, ſhall neglect the chooſing Surveyors, as aforeſaid, then the Judge of the ſaid Diviſion or Pariſh, and the Aſſemblymen, ſhall have Power by this Act the Week following to chooſe ſuch Surveyors as they ſhall think fit to officiate in ſuch Place, under the Forfeiture aforeſaid; and the *Sunday* after ſuch Perſons are choſen, publick Notice ſhall be given in the Church, that the Perſons themſelves, and the Pariſhioners, may have Knowledge thereof; and when the Highways are to be repaired the ſaid Surveyors are to cauſe publick Notice to be given in the Church a Week beforehand, that the ſeveral Inhabitants may have timely Notice to ſend their Negroes to perform the ſaid Work, under the Penalties and Forfeitures hereafter expreſſed. Now it is to be underſtood, that upon Notice given, as aforeſaid, all the Inhabitants in St. *George*'s Pariſh, or *Windward Diviſion*, are to ſend all their working Negroes to repair and amend the ancient Highway or common Road from *Nineturn Gutt* to *Bottomleſs Gutt*, and alſo from *Nineturn Gutt* to *Jarr River*; and any Perſon or Perſons neglecting or refuſing to ſend their Negroes, as aforeſaid, ſhall forfeit for each working Negro Two Shillings and Six Pence; which if not paid to the ſaid Surveyors within Ten Days after the Default committed, upon the ſaid Surveyor's Complaint to the Judge, he is to iſſue his Warrant to the Conſtable to diſtrain on the Goods and Chattels of the Offender or Offenders, which is to be expoſed to publick Sale to ſatisfy ſuch Fines or Forfeitures, to be one Third to the Poor of the Pariſh, and the other two Thirds to the ſaid Surveyors and Conſtables, equally to be divided between them; and upon Notice given, as aforeſaid (that is, a Week beforehand) all the Inhabitants of St. *Patrick*'s Pariſh, or *White River* Diviſion, are to ſend all their working Slaves to repair and amend the ancient Highway or common Road from *Jarr River* towards the Town of *Kingſale* until they come to *Germans Bay*, under the Penalties and Forfeitures aforeſaid, to be taken and diſpoſed of as aforeſaid; and upon Notice given, as aforeſaid, all the Inhabitants of St. *Anthony*'s Pariſh, or *Middle Diviſion*, are to ſend all their working Negroes to repair and amend the ancient Highways or common Roads from *Germans Bay* to the Town of *Kingſale*, and ſo to the Town of *Plymouth*, and from thence to the *Old Road River*, and alſo from the Town of *Plymouth* as far as *Nineturn Gutt* towards the Windward, and all other

Freeholders to chooſe Surveyors:

Or the Judge and Aſſemblymen.

Publick Notice.

Penalty on not ſending working Negroes. *This is made* 2 s. 6 d. per diem *by an Act of* 1738.

common Roads or known Highways; and any Perſon or Perſons neglecting or refuſing to ſend his or their Negroes, as aforeſaid, ſhall be liable to ſuch Fines or Forfeitures as aforeſaid, to be taken or levied, and diſpoſed of as aforeſaid; and upon Notice given, as aforeſaid, all the Inhabitants that live in St. *Peter*'s Pariſh, or *Northward Diviſion*, between the *Old Road River* and *Soldiers Gutt*, to ſend all their working Negroes to repair and amend the Highways or common Roads from the ſaid River to the Bottom of *Soldiers Gutt* aforeſaid, above and below; and the Inhabitants of the ſaid Pariſh or Diviſion, whoſe Names are here following and expreſſed, *viz.* Lieutenant Colonel *John Scott*, and Mr. *William Bazzie*, *Thomas Mullrayne*, Mr. *Edward Linnington*, and Mrs. *Ellinor Cave*, and the ſucceeding Poſſeſſors of the Plantations on which they now live, to amend and repair the upper Highway or common Road leading from Mr. *Thomas Leak*'s Paſture to the Bottom of *Soldiers Gutt*, and all the reſt of the Inhabitants of that Part of the Diviſion to amend and repair the Highway or common Road leading from *Soldiers Gutt* to *Bottomleſs Gutt*, by *Carr*'s *Bay*, and any Perſon or Perſons neglecting or refuſing to ſend his or their Negroes, as aforeſaid, ſhall be liable to ſuch Fines and Forfeitures as aforeſaid, to be taken or levied, and diſpoſed of as aforeſaid. 1702.

II. AND it is further enacted, ordained, and declared by the Authority aforeſaid, That where the common Road or Highway goes through any Perſon's Land, he or they who owns the ſaid Land, or he or they who are in Poſſeſſion of the ſame, ſhall make Fences, by trenching, hedging, walling, or railing againſt the ſaid Highways or common Roads of each Side, which if they neglect or refuſe to do, whatſoever Damage or Treſpaſs ſhall happen to them by Cattle, Horſes, or any Manner of Stock paſſing in the ſaid Roads or Highways, they ſhall bear the ſame themſelves without any Manner of Recompence or Satisfaction to be rendered them, ſince they are required by this Act to fence the ſame, as aforeſaid. Freeholders to fence their Land from the Road.

III. AND it is further provided by this Act, That all Highways or common Roads that are cartable ſhall be Thirty Foot wide at leaſt, and all Highways which are not already fenced, if the ſame be in even Land, or Land commonly eſteemed even, ſhall contain in Breadth the ſame; and all Highways not already fenced which are on the Sides of Hills, and not cartable, ſhall contain Twenty Foot, but if cartable, Thirty Foot clear between the Fences. Cart Roads to be 30 Foot wide.

IV. AND it is further provided by this Act, That where any common Highway ſhall not be of ſuch ſufficient Breadth, as aforeſaid, the Surveyors, if they ſhall find it neceſſary, may cauſe the Fence of each Side to be broken down, to enlarge or turn the ſame; and if the Proprietors, Owners, or Poſſeſſors of the Land or Lands on which ſuch Fences ſtand, ſhall refuſe, or oppoſe the ſaid Surveyors in executing their Office therein, they ſhall forfeit and loſe for ſuch Offence the Sum of Fifty Pounds current Money, for every hundred Yards he, ſhe, or they ſhall ſo refuſe to be opened, and ſo for every Twelve Months he, ſhe, or they ſhall ſo refuſe, to be taken or levied, and diſpoſed of as aforeſaid. Narrow Highways to be widened.

V. AND it is further enacted and provided by the Authority aforeſaid, That where any Perſon ſhall turn any Watercourſe or Gutter, or ſuffer the ſame in their Lands to overflow or run into the common Highway, he or they ſhall for every Month forfeit and loſe the Sum of Five Pounds current Money, for each Gutter or Watercourſe that ſhall ſo impair the ſaid Highway. Penalty for publick Nuſance.

VI. AND it is further enacted, ordained, and declared by the Authority aforeſaid, That where any Spring ariſeth, Brook or River runneth in or through any Perſon or Perſons Lands, they ſhall not cut down or clear any ſtanding Woods, Underwoods, Copps, or Buſhes, or cauſe the ſame to Fences by Springs or Rivers not to be deſtroyed.

1702. to be done, or Fire ſet to it, willingly to conſume the ſame, within Twenty Foot of the ſame of each Side, if in Cane or Proviſion Ground, except they do immediately plant ſo much Ground as is before expreſſed, and by them cleared, fully with planting Trees of each Side of ſuch Spring, Brook, or River, that the ſame may be ſhaded or covered from the Sun (the laying the ſame open being oftentimes the Cauſe of their drying up) and where any Spring riſeth, Brook, or River runneth through Paſture, there the ſtanding Wood, Underwood, Copps, and Buſhes ſhall be left uncut down, as aforeſaid, on each Side of the ſame for the Space of Thirty Foot; and any or all Perſons offending herein ſhall forfeit and loſe, as a Fine to our Sovereign Lady the Queen, the Sum of Fifty Pounds current Money, for every Fifty Foot of Ground they ſhall clear or lay open, as aforeſaid, after the Date of this preſent Act; which Fine ſhall be collected by the Treaſurer of this Iſland by virtue of a Warrant from the Judge of the Diviſion where the Offence ſhall be committed, and that by the Sale of the Offender's Goods and Chattels, and by him converted to defray the publick Charges of this Iſland, for which he ſhall be accountable, as for any other of the publick Stock which comes into his Hands.

Fences by Springs, &c. to be 30 Foot on each Side.

See a former Act with reſpect to the Highways, N° 41.

N° 47. *An Act impowering Juſtices of the Peace to decide Differences not exceeding Six Pounds.*

WHEREAS many Inconveniencies may and do ariſe unto the Inhabitants of this Iſland, by being vexed and troubled with Suits at Law for ſmall and trivial Injuries, Debts, and Treſpaſſes, wherein the accuſtomary Fees and Charges uſually exceed the original Debt and Damages; for Prevention whereof be it enacted and ordained by his Excellency the General, the Lieutenant-governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That all Manner of Treſpaſs, and other Matters not exceeding the Value of Six Pounds current Money, may be heard, judged, and determined by any of her Majeſty's Juſtices of the Peace of this Iſland within their reſpective Precincts, without Appeal, for any Cauſe or Matter under Three Pounds; which ſaid Juſtices are hereby required, upon Complaint made, to grant a Warrant or Summons againſt the Perſon complained of, thereby requiring him to appear and anſwer the ſaid Complaint, and in caſe of Non-appearance, to iſſue a Warrant of Contempt, directed to the Conſtable, to bring the Contemner before him, as well to anſwer the ſaid Contempt as the Plaintiff's Action, and may, if he ſee Cauſe, fine the Contemner, provided the ſaid Fine exceed not Ten Shillings, to be for the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, and after Judgement given in either Cauſe, may grant a Warrant of Diſtreſs, directed to the Conſtable, to levy the ſaid Fine, Debt, Damages, and Charges upon the Defendant's Goods and Chattels, who by virtue thereof ſhall expoſe the ſame to Sale, returning the Overplus, if any be, to the Defendant; and for want of ſuch Diſtreſs ſhall take the Defendant's Body into Cuſtody, and convey him to the common Gaol of this Iſland, there to remain till he ſhall have ſatisfied the Debt, with Charges.

Juſtices may determine Matters under 6*l.*

and without Appeal, under 3*l.*

Penalty on not obeying Juſtice's Warrant.

Diſtreſs and Sale.

1702.

II. AND it ſhall be lawful for the Juſtices of Peace to receive for each Warrant One Shilling and Six Pence, and no more; and for the Conſtable for ſerving each Warrant Nine Pence, together with Three Pence for each Mile he ſhall be compelled to travel in Execution of the Premiſſes; and the Juſtice is hereby required to keep a Record of all ſuch Proceedings, under the Penalty of Ten Shillings, the one Half to the Poor of the Pariſh, and the other Half to the Informer. Fees for Warrants, and Conſtable's ſerving.

N. B. *This Act having been confirmed by the Crown, and the Governor being inſtructed not to paſs any Act that ſhall repeal a Law ſo confirmed without a Clauſe being inſerted therein to ſuſpend its Execution till approved; therefore the Governor, on paſſing an Act in* 1728, N° 92, *to repeal the foregoing, having cauſed ſuch a ſuſpending Clauſe to be inſerted therein, and no Agent appearing to obtain the Confirmation of that Act, it is ſuffered to remain on its Suſpenſion, and the above Act continued in force when printed.*

An Act to prevent Hazards and Inconveniencies that may happen by Thatcht Houſes in the Town of Plymouth; *and clandeſtine Dealings with Negroes.* N° 48.

INASMUCH as there are diſperſed within the Town and Limits of *Plymouth* in this Iſland, ſeveral Thatcht Houſes, which in thoſe Parts may not only be of dangerous Conſequence, but likewiſe are Harbours of ſeveral idle Perſons; we your Majeſty's moſt obedient and loyal Subjects, *Chriſtopher Codrington* Eſquire, Captain-general, and Governor in Chief of your Majeſty's *Leeward Charibbee* Iſlands, the Lieutenant-governor, Council, and Aſſembly of this your Majeſty's Iſland of *Montſerrat*, moſt humbly pray your Sacred Majeſty that it may be enacted, and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That from and after the firſt Day of *November* next enſuing, no Thatcht Houſe, Cottage, or Cabbin be ſuffered or allowed to ſtand or abide in the ſaid Town of *Plymouth*, or Limits thereof; and if after the ſaid firſt Day of *November* any Thatcht Houſe, Cottage, or Cabbin ſhall be found ſtanding or abiding in any Part within the ſaid Town, or Limits thereof, it is hereby enacted by the Authority aforeſaid, That the Lieutenant-governor, or Preſident for the time being be, and he is hereby impowered and enabled to iſſue his Warrant to the Provoſt-marſhal, or his lawful Deputy, and the Conſtables of the ſaid Town, to raze, deſtroy, and pull down all ſuch Thatcht Houſes, Cottages, or Cabbins as ſhall be found within the ſaid Town of *Plymouth*, or Limits thereof. No Thatcht Houſe, &c. to be ſuffered in Limits of the Town.

II. AND foraſmuch as the Limits of the ſaid Town are doubtful and uncertain, we pray it may be, and it is further enacted, That the Bounds and Limits of the ſaid Town of *Plymouth* ſhall at all times hereafter be taken and deemed to extend one Furlong on all Sides from the Fort of the ſaid Town, and no further. Limits ſettled.

III. AND that no Perſon or Perſons may hereafter preſume to build or ſet any Thatcht Houſe, Cottage, or Cabbin within the ſaid Town of *Plymouth*, or Limits as aforeſaid, we pray it may be, and it is hereby further

1702.

Penalty on building Thatcht Houſes, &c.

enacted, That all Perſons that have, hold, poſſeſs, or enjoy any Parcels of Land within the ſame, which ſhall build, erect, or ſet up, or that ſhall procure or ſuffer to be built, erected, or ſet up, any Thatcht Houſe, Cottage, or Cabbin, ſhall forfeit Two thouſand Pounds of Sugar, together with the Land the ſaid Thatcht Houſe, Cottage, or Cabbin ſhall ſtand upon, the ſame to be one Half to her Majeſty, her Heirs and Succeſſors, for and towards the Support of this Iſland, the other Half to the Informer, to be recovered by Bill, Plaint, or Information in any Court within this Iſland; any Law, Uſage, or Cuſtom to the contrary hereof in any wiſe notwithſtanding.

IV. And inaſmuch as there are living, not only in and about the ſaid Town of *Plymouth*, but moſt other Parts of this Iſland, ſeveral idle People, and Perſons of baſe and evil Fame, who live by their private and clandeſtine Trade with Negroes and Slaves, encouraging them to cheat and ſteal from their Maſters and Owners, Proviſions, Sugar, Rum, Molaſſes, and other the Manufactures, Productions, and Growth of the Iſland, which could not be done undetected were not the ſaid Perſons Abetors and Receivers of the ſame, who, well knowing they are ſafe againſt Law ſo long as no Evidence but that of Slaves can be brought againſt them, which hitherto hath not been held valid againſt any Perſon; therefore for the future preventing the further impoveriſhing your Majeſty's ſaid Subjects by the ſaid Perſons ſecret Dealing, Combination, and Trading with their Slaves, we pray it may be, and it is hereby enacted and ordained by the Authority aforeſaid, That if any ſuch Perſon, living in any Part of this Iſland, and having no viſible or apparent Way of Maintenance or Livelihood, ſhall buy or receive any of the ſaid Goods, or other Commodities whatſoever, or have any Trade or Dealing with any Slave whatſoever, without the Knowledge or Conſent of the Maſter or Owner of ſuch Slave, and ſhall be convicted thereof before any of the Judges of Record within the ſaid Iſland, and one of their Aſſiſtants, by any ſuch Evidence as the ſaid Judge and Aſſiſtant ſhall judge ſufficient in their own Judgements and Conſciences, notwithſtanding it may not be according to the ſtrict Cuſtom and Letter of the Law, that then the ſaid Perſon or Perſons ſo convicted ſhall ſuffer ſuch Corporal Puniſhment (not extending to Life or Member) as the ſaid Judge and Aſſiſtant ſhall adjudge him or them to ſuffer, or pay ſuch Fine or Fines as they the ſaid Judge and Aſſiſtant ſhall appoint the ſame to be levied, or executed by Warrant from the ſaid Judge and Aſſiſtant, as the ſaid Warrant ſhall direct, always provided, the ſaid Judge and Aſſiſtant have due Regard, and give Judgement not extending to Life or Member, but to pay ſuch Fine or Fines according to the true Merit of the Fact committed, and not otherwiſe; always provided, that no Fine laid or intended by virtue of this Act ſhall exceed or amount to more than Twenty Pounds current Money of this Iſland.

Penalty on clandeſtine Traders.

Goods ſeized, to be proved by the Claimer,

or forfeited to the Crown.

V. And be it likewiſe further enacted, That if, upon any Judge's Warrant, directed to the Provoſt-marſhal, or to his lawful Deputy, and the Conſtables within his Diviſion, for the ſearching any ſuſpected Houſes, there ſhould be found therein any Goods or Merchandize of the Growth or Production of this Iſland, or any other Place, the Proof ſhall lie on the Claimer, or on him or them in whoſe Cuſtody it ſhall be ſo found, how and by what Means they came by ſuch Goods and Commodities there and then taken, which Proof ſhall be made by the Oath of the Party from whom they received or bought the ſame, to be adminiſtred by the Judge who iſſued the ſaid Warrant, and for want of due Proof, as aforeſaid, all Commodities and Merchandize ſo found and taken ſhall be reſtored to the right Owner, if known, or otherwiſe to be forfeited to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent

tingent Charges thereof, and without further Proceſs to be ſold at a publick Sale by the Marſhal or Deputy, who are hereby required to render the true Value as ſold for to the Treaſurer, when demanded; and moreover the Perſons in whoſe Cuſtody ſuch Goods as aforeſaid were taken, ſhall be liable to pay any Fine the Judge and his Aſſiſtant ſhall think fit to impoſe, not exceeding Twenty Pounds current Money, or otherwiſe to ſuffer ſuch Puniſhment as is before provided in this Act. 1702. Penalty on Concealers.

VI. And foraſmuch as many Inconveniencies do oftentimes ariſe by Seamen or Sailors frequenting ſuch Thatcht Houſes or Cottages, as alſo Taverns and Rum-punch Houſes, whereby the Diſpatch of ſuch Ships or Veſſels as they belong to are retarded or prolonged; be it, and it is hereby enacted and ordained by the Authority aforeſaid, That from and after the Date of this preſent Act, any Perſon whatſoever keeping a Houſe of Entertainment, Tavern, Punch Houſe, or that ſhall reſide in any Cottage, who ſhall for any Liquor or Victuals credit or truſt any Seaman or Sailor for more than the Value of one Piece of Eight, during the Stay of ſuch Veſſel or Ship which he belongs to for that preſent Voyage, ſhall loſe whatever Money they ſhall credit or truſt ſuch Seaman or Sailor with; and that no Magiſtrate ſhall take any Cognizance of any Plea or Plaint made to him for any Sum exceeding one Piece of Eight, as aforeſaid. Seaman not to be truſted above a Piece of Eight at any Victualling houſe.

An Act determining the Sitting of Aſſemblies, and regulating the Elections of the ſame. N° 49. Repealed.

An Act to prevent burning or breaking of Canes. N° 50.

BE it, and it is hereby enacted and ordained by his Excellency the General and Governor in Chief in and over her Majeſty's *Charibbee Leeward* Iſlands, the Honourable the Lieutenant-governor, Council, and Aſſembly of this ſaid Iſland of *Montſerrat*, That if any Perſon whatſoever, white or black, ſhall preſume to carry any Fire, Torches, or ſmoke Tobacco through any Canes, Paths, or Ranges, on either Side of which Canes are planted, if a White, ſhall forfeit for each time he or ſhe ſhall ſo offend, Five Shillings, the one Moiety to the Poor of the Pariſh, the other to him or them that ſhall inform, to be recovered immediately by a Warrant from the next Judge, Juſtice of the Peace, or Aſſiſtant of Court or Courts, who are hereby impowered to grant the ſame, directed to the Conſtable, for levying the ſaid Fine; and if a Black, he ſhall ſuffer a ſevere Whipping, not exceeding Thirty nine Laſhes. Penalty on carrying Fire, or ſmoaking Tobacco through Sugar Plantations.

II. And if by their or any of their carrying Fire, or ſmoaking Tobacco through Canes, Paths, or Ranges, as aforeſaid, any Canes ſhall happen to be burnt,

1702.

burnt, then, and in ſuch Caſe, the Party who ſhall be a Sufferer, ſhall have his Damages viewed by the next Two Freeholders, and accordingly ſhall, on their Report under their Hands, and by the Oath of one or both of them, recover in any Court of Record within this Iſland the full Value of the Damages ſo reported to be done; that is to ſay, From a White, if free; if a Servant or Black, then from the Owner; and if the Damages appear to be more than the ſaid Servant's Time or Negro ſhall be worth, then it ſhall be at the Election of the Proprietor of the ſaid Servant or Slave, either to pay the Damages, or deliver up his Right and Title in either, to him or them whoſe Canes were ſo burnt, together with all Coſts and Charges he or ſhe ſhall be at in proſecuting the ſame; any Law, Uſage, or Cuſtom to the contrary in any wiſe notwithſtanding.

All Damages to be made good.

III. AND inaſmuch as many or moſt of the Inhabitants, through Covetouſneſs, or ſome other evil Ends, do not leave ſufficient Diſtance or Ranges betwixt theirs and their Neighbours Canes on the Borders or Bounds of their reſpective Plantations, whereby ſeveral times Damage is done by Fire; be it, and it is hereby enacted by the Authority aforeſaid, That on the Bounds or Borders of all Plantations within this Iſland, where Canes are or ſhall be planted, that there ſhall be a Range of Ground left, to conſiſt of Five and thirty Foot in Breadth at the leaſt, whereof the Windermoſt Plantation muſt allow Twenty Foot to Windward of the Line or markt Trees, and the Leeward Fifteen Foot: And leaſt the ſaid Portion or Allowance of Ground ſhould be too little to prevent Fire, it is further enacted, That when and as often as there ſhall be Occaſion for burning the Ground or Traſh on either Side of the Bounds or Line, then the Party that ſhall have Occaſion to fire or burn his Ground, ſhall give the other Four and twenty Hours Warning or Notice beforehand at the leaſt, to the End all Danger may be prevented.

Diſtances to be obſerved between Plantations.

IV. AND it is likewiſe enacted and ordained, That where any Canes ſhall be burnt joining to the Bounds of any Plantation or Plantations, and the ſaid Range or Diſtance of Ground not left, or Warning not given, then all Damages ſuſtained ſhall be borne and made good by the Party who ſhall be convicted or found tardy of his or their Neglect or Non-performance of either, to be recovered in any Court of Record within this Iſland: And to the End the ſaid Damages may be aſcertained, be it enacted, That the ſame ſhall be valued and appraiſed by Two Freeholders of the Pariſh where it ſhall ſo happen, upon whoſe Eſtimate or Report under the Hands, together with the Oath of one or both of them, the Judgement ſhall be grounded. Provided, That this Clauſe ſhall not be in Force, or take its due Effect in any Place or Places where Canes are planted, within the Bounds aforeſaid, until they ſhall be ripe or cut off.

Aggreſſor to make good Damages,

if any happen after the Canes be ripe.

V. AND it is hereby enacted and ordained, That where any White ſhall be taken or found breaking a Cane or Canes in any Plantation within this Iſland, he, ſhe, or they ſhall immediately forfeit and pay Ten Shillings, one Half to the Owner or Informer, the other Half to the Poor of the Pariſh, to be recovered after the ſame Manner as a Fine for carrying Fire through Canes is by this Act; and if the ſaid White ſhall not have whereon to levy the ſaid Fine, then he or ſhe ſhall be whipped on the bare Back, not exceeding Twenty Laſhes; and where any Negro or Slave ſhall be caught or found doing the like, he or ſhe ſhall ſuffer a ſevere Whipping, not exceeding Thirty nine Laſhes; and when any Black ſhall be ſeen breaking of Canes, as aforeſaid, and will not ſtand to be caught or taken, then it ſhall be lawful for the Owner of the Canes, or any other Perſon or Perſons whatſoever, to uſe all poſſible Means to take them; and if in Purſuit it ſhall ſo happen that any Negro ſhall be wounded or killed, there ſhall no Remedy or Satisfaction be made for the ſame; any Law, Uſage, or Cuſtom to the contrary in any wiſe notwithſtanding.

Penalty on breaking the Canes.

An

An Act for raiſing a Levy or Tax for defraying or diſcharging the publick Debts, and the Support of the Government. 1704-5. № 51. Expired.

An Act for the Quartering Two Companies of Soldiers now in the Iſland, under the Command of Captain Maurice A'herne, *and Captain* William Moore. № 52. Expired.

An Act for repairing the ſeveral Forts and Platforms in this Iſland. 1705. № 53. Expired.

An Act for quieting Poſſeſſions, and for the better ſecuring and confirming the Titles of Lands in this Iſland. № 54.

WHEREAS by ſeveral Hurricanes, Fires, Invaſions by the *French* and *Indians*, Inſurrections of Negroes, and other unforeſeen Accidents, moſt of the Records of this Iſland, together with ſeveral Patents, Deeds, and Evidences, whereupon the greater Part of the Titles of this Iſland do depend, were loſt and deſtroyed; whereby divers Purchaſers and others, whoſe Titles are ſecured by and under the ſaid Records, Patents, Deeds, and Evidences, are in Danger of having the ſame impeached and called in Queſtion, unleſs ſome ſpeedy Care be taken therein; for remedy whereof, and for quieting the Inhabitants of this Iſland in the Poſſeſſion of their reſpective Eſtates, for avoiding tedious, chargeable, and unforeſeen Law-ſuits, and alſo for preventing any vexatious Proſecutions from any future Governors, or any other Perſons whatſoever, by Courts of Eſcheat or Exchequer, in Pretence of her Majeſty's Right accruing by former Forfeitures, want of Heirs, or otherwiſe, which ſaid Proſecutions being often upon frivolous Grounds, tend greatly to the Diſquiet and Diſcouragement of her Majeſty's loyal Subjects, we her Majeſty's moſt dutiful and loyal Preamble.

1705. Subjects, the Commander in Chief of all your Majeſty's *Leeward Charibbee* Iſlands in *America*, the Lieutenant-governor, Council, and Aſſembly of this your Majeſty's Iſland of *Montſerrat*, do pray your Moſt Excellent Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That all Perſons whatſoever, that at the Time of making this Act are ſeized in their own Rights in the Demeſnes, as of Fee, of and in any Lands, Tenements, or Hereditaments within this Iſland, which now are, by themſelves, Attornies, or Guardians, and for the Space of Ten Years laſt paſt before the making of this Act have been in the actual, peaceable, and quiet Poſſeſſion of them, or of their Anceſtors, whoſe Heirs they are, ſhall be deemed and are hereby declared to be the lawful and rightful Proprietors and Owners of the ſeveral Lands, Tenements, and Hereditaments by them ſo poſſeſſed, as effectually, to all Intents and Purpoſes, as if the Anceſtor of ſuch Perſon or Perſons had been ſeized of a good and indefeazable Eſtate in Fee-ſimple therein, and the ſame had immediately deſcended from ſuch Anceſtor to the Perſon poſſeſſed, as Heir at Law to him, or had been otherwiſe veſted in him in Fee-ſimple by the moſt firm Conveyance or Aſſurance that by Counſel learned in the Law could be adviſed or deviſed.

Perſons poſſeſſed 10 Years of their Eſtates, to be deemed lawful Poſſeſſors.

II. PROVIDED always, That this Act, or any thing herein contained, ſhall not extend or be conſtrued to bar Infants under the Age of Twenty one Years, Femes-covert, or their Barons claiming in their Right, Tenants in Dower, or any Perſon or Perſons to whom any Right or Title of Dower hath accrued, Perſons *non Compos mentis*, or beyond the Seas, and out of the Government of theſe Iſlands at the Time of making this Act being, ſo as every ſuch Perſon and Perſons do and ſhall effectually proſecute their Claim unto ſuch Lands, Tenements, and Hereditaments, whereunto they have or pretend to have had a juſt legal Title at the Time of making this Act, within the Time or Times herein after limited and appointed, *viz.* Infants at any Time during the Minority, or within Five Years after his or their having attained their full Age of Twenty one Years; Femes-covert, with their Barons, at any Time during their Coverture, or within Five Years after their Diſcoverture; Tenants in Dower, or Perſons to whom any Right or Title of Dower hath accrued within Five Years from the making this Act; Perſons *non Compos mentis*, within Five Years after their coming of ſound Memory; and Perſons beyond the Seas, and out of the Limits of theſe her Majeſty's *Leeward Charibbee* Iſlands at the Time of making this Act being; and not then having Attorney or Attornies on this Iſland, by him or them duly authorized and impowered to ſue, within Five Years from the making this Act, and at no Time after the ſaid Times reſpectively hereby limited.

This Act not to extend to bar Infants, &c.

What Time allowed for Infants, &c. to ſue for Eſtates.

III. PROVIDED alſo, That nothing herein contained ſhall impede or bar any Perſon or Perſons whatſoever, who have any Title or Claim to any Eſtate that is now held at the making this Act, either in Fee-tail, General or Special, or after Poſſibility of Iſſue extinct, for Life, for Years, or as Tenant at Will, or Sufferance, ſo as they proſecute ſuch their Right within Five Years after the making of this Act, or within Five Years after the Determination of ſuch particular Eſtate, and the Commencement of the Title of ſuch Perſon to the Poſſeſſion thereof; any Law, Statute, or Uſage to the contrary notwithſtanding.

Proviſo.

IV. PROVIDED alſo, That this Act, or any thing herein contained, ſhall not extend to bar or hinder any Perſon's Proceedings in recovering any Eſtate in this Iſland, who have commenced their Suits at Law for the ſame before the paſſing this Act, and ſuch Suit is now depending undetermined.

Proviſo.

An Act to revive an Act, intituled, An Act for ſettling the Rates of Impoſt on Liquors and Licences, and for enabling the Treaſurer for the time being to collect the ſame. 1710. N° 55. Expired.

An Act to revive an Act to impower the Treaſurer for the time being, or his Deputy, to ſeize all Liquors which are in any Perſon's Cuſtody that preſume to ſell Liquors by Retale without Licence. N° 56. Expired.

An Act for raiſing a Levy or Tax to defray and diſcharge the publick Debts, and for the Support of this Iſland. 1711. N° 57. Expired.

An Act to levy a Tax on all ſuch dry Goods and Merchandize as ſhall be imported to this Iſland from Europe, *to help to defray the contingent Charges thereof.* N° 58. Expired.

An Act intituled, A Powder Act. 1712. N° 59. Repealed.

An

1712-13. N° 60. Expired.

An Act for raiſing a Fund to carry on an Undertaking for the recovering of the Loſſes of this Iſland lately ſuſtained by the French.

N° 61. Expired.

An Act for the ſecuring Debts due to any Perſon from the Publick, who by the late Invaſion hath loſt their Adjuſtments, formerly ſettled by the Government.

1714. N° 62. Expired.

An Act for repealing a certain Clauſe in an Act made in the Reign of King William, *intituled,* An Act to reſtrain the Inſolencies of Slaves, and for preventing them from committing any Outrages, as alſo for the better ordering ſuch Slaves.

Preamble.

WHEREAS by an Act confirmed by King *William*, of Glorious Memory, upon the Thirty firſt Day of *December*, in the Year of our Lord One thouſand ſix hundred ninety * ſix, intituled, *An Act to reſtrain the Inſolencies of Slaves, and for preventing them from committing any Outrages, as alſo for the better ordering ſuch Slaves*, it is eſpecially provided for in one Clauſe of the ſaid Act, " That if any Negro or Negroes ſhall be " executed, by ſuffering Death, that the Owner or Owners of ſuch Ne- " gro or Negroes ſhall receive and be paid out of the publick Treaſury " of this Iſland the Sum of Three thouſand five hundred Pounds of *Muſ-* " *covado* Sugar :" And whereas it is now found by Experience (to the great Delay of Juſtice) that ſeveral Negroes having committed great Crimes and Miſdemeanors, whom in all Probability would have ſuffered Death, provided they had been brought to Juſtice, but the Owner or Owners of the aforeſaid Negroes not eſteeming the aforeſaid Quantity of Three thouſand five hundred Pounds of *Muſcovado* Sugar ſufficient, and of full Value for the aforeſaid Negroes, have endeavoured to conceal the ſaid Negroes rather than bring them to Juſtice; we therefore pray your Moſt Excellent Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the Commander in Chief of all your Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Preſident, Council, and Aſſembly of *Montſerrat*, That every Clauſe, Article, Thing or Things of the aforeſaid Act, in relation to the Payment of Three thouſand five hundred Pounds of *Muſcovado* Sugar out of the publick Treaſury of this Iſland to the Owner or Owners

* *There is an Act paſſed in* 1693, N° 36, *fol.* 43, *comes near the Purport of the Act referred to, but its doubtful if ſome Act was not paſſed in* 1696, *not now to be found.*

Owners of ſuch Negro or Negroes that ſhall be ſo put to Death, ſhall from henceforward, to all Intents and Purpoſes whatſoever, be repealed, made void, and of none Effect. 1714.

II. AND be it further enacted by the Authority aforeſaid, That from and after the Publication of this Act, every Owner or Owners of any Negro or Negroes which ſhall be ſo put to Death ſhall be paid from and out of the publick Treaſury of this Iſland ſo much Money or Sugar that any ſuch Negro or Negroes ſhall be appraiſed or deemed to be worth, immediately after ſuch Negro or Negroes ſhall have received Judgement to ſuffer Death; which Appraiſement is to be made by the Lieutenant-governor, or Preſident, and Council of this Iſland, and ſuch Appraiſement to be entered in the Book of Records of the Council by the Secretary of the Council; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Negroes executed, to be paid for by the Publick.

III. PROVIDED, That nothing in this Act ſhall be deemed, conſtrued, or taken to repeal or make void any other Clauſe, Article, Thing or Things in the aforementioned Act. Proviſo.

N. B. *The Word* Expired, *after the Number of this Act, in the Margin of the foregoing Page, was inſerted by Miſtake.*

An Act to impower the Farmer of the Liquors and Licences to collect all and ſingular the Dues and Duties ariſing from the ſame. № 63. Expired.

An Act to continue a former Act for laying an Impoſition on Wines and other Liquors imported in this Iſland. № 64. Expired.

An Act for the unthatching all Thatcht-houſes in the Town of Plymouth. № 65.

WE your Majeſty's moſt dutiful and loyal Subjects, the Commander in Chief in and over all your Majeſty's *Leeward Charibbee* Iſlands in *America*, the Preſident, Council, and Aſſembly of *Montſerrat*, do

1714.

All Houſes in *Plymouth* to be unthatched.

pray your Moſt Sacred Majeſty that it may be enacted, and it is hereby enacted, That all Houſes, whether Dwelling-houſes or other Out-houſes, of what Kind ſoever, which are or ſhall be thatched in the Town of *Plymouth* in the aforeſaid Iſland above the Space of Six Months from the Publication of this Act, ſhall be unthatched, by pulling off the ſame; and that from and after the Expiration of the aforeſaid Term of Six Months, there never ſhall be any more Thatcht-houſes in the aforeſaid Town of *Plymouth*.

Provoſt-marſhal impowered to pull the Thatch off ſuch Houſes, &c.

II. AND it is further enacted by the Authority aforeſaid, That if there remain or ſhall be built any Thatcht-houſes in the aforeſaid Town after the Expiration of the aforeſaid limited Time, that the Provoſt-marſhal, or his lawful Deputy for the time being, ſhall, upon Complaint made to the Lieutenant-governor, or Preſident of this Iſland, and if either of them ſhall refuſe, then to any Juſtice of the Peace in this Iſland, have a Warrant, directed to the aforeſaid Provoſt-marſhal, or his Deputy, commanding him forthwith to pull off and unthatch the ſaid Thatcht-houſes; and if any one ſhall ſo refuſe or hinder the ſaid Provoſt-marſhal, or his Deputy, from doing the ſame, the Perſon or Perſons ſo hindering ſhall forfeit the Sum of Ten Pounds each, to be levied upon his or their Goods and Chattels, Lands, Tenements, or Hereditaments, to be ſold by publick Outcry in the Town of *Plymouth*, the Overplus to be returned to the Owner or Owners, and the ſaid Forfeiture of Ten Pounds ſhall be to the aforeſaid Provoſt-marſhal, or his Deputy, for the Encouragement of the due executing this Act, to be recovered in Manner and Form hereafter expreſſed; that is to ſay, Upon Complaint made by the Provoſt-marſhal, or his Deputy, to the Lieutenant-governor, or Preſident, or to any Juſtice of Peace in this Iſland, of his being ſo obſtructed and hindered, the ſaid Lieutenant-governor, Preſident, or Juſtice of the Peace ſhall direct a Summons to the Party ſo offending to appear before him, and upon Proof made by Two Witneſſes upon Oath, whereof the Provoſt-marſhal, or his Deputy, to be one, of his or their ſo offending, there ſhall iſſue out immediately a Writ of Execution, to be levied as above, for the Satisfaction of the aforeſaid Forfeiture, by the aforeſaid Lieutenant-governor, Preſident, or Juſtice of the Peace that the Complaint ſhall be made unto, directed to the Provoſt-marſhal, or his Deputy; and if the Perſon ſo offending does not make his Appearance according to Summons, Proof being made by the Provoſt-marſhal, or his Deputy, upon Oath, that the Perſon ſo offending was ſummoned, a Writ of Execution ſhall iſſue forth, as above is directed, notwithſtanding the Perſon ſo offending his Contempt or Non-appearance.

Penalty on Provoſt-marſhal omitting his Duty.

III. AND it is further enacted by the Authority aforeſaid, That if the Provoſt-marſhal, or his Deputy for the time being, ſhall not do his Duty as is by this Act expreſſed, or ſhall be a Party offending, then it ſhall be in the Power of the Coroner of this Iſland to execute all the Clauſes, Act or Acts, Thing or Things in this Act mentioned or expreſſed, and all Forfeitures ariſing by this Act ſhall accrue and belong to him as often as he ſhall put this Act in Execution, notwithſtanding any former Clauſe or Clauſes in this Act made.

An

1714.

An Act to repeal an Act, intituled, A Powder Act; *and for appointing an Impoſt of Powder on each Ton of Goods of the Growth of this Iſland that all Ships, Sloops,* &c. *trading to this Iſland ſhall take on board.*

№ 66.

WHEREAS by an Act of this Iſland, bearing Date the Twenty ninth Day of *December*, in the Year of our Lord One thouſand ſeven hundred and twelve, intituled, *A Powder Act*, it is therein declared and enacted, " That all Ships, Sloops, or other Veſſels that ſhall trade to this " Iſland, or ſhall here take in any Part of her lading, or unlade any Part, " ſhall pay to the Keeper of the Stores one Pound of Piſtol Powder for " each Ton ſuch Veſſel or Veſſels ſhall be regiſtred at; and in caſe the " Owner or Maſters of ſuch Veſſel or Veſſels hath no Piſtol Powder, " then he or they ſhall for every Pound of Powder pay to the Keeper of " the Stores Three Shillings current Money of the above Iſland:" Now foraſmuch as it hath been found by Experience that the ſaid Act hath and doth tend much to the impairing the Trade of this Iſland; be it therefore enacted and ordained by the Commander in Chief of all his Majeſty's *Leeward Charibbee* Iſlands in *America*, the Preſident, Council, and Aſſembly of your Majeſty's Iſland of *Montſerrat*, and by the Authority of the ſame, That the ſaid Act of the Twenty ninth Day of *December*, in the Year of our Lord One thouſand ſeven hundred and twelve, and all and every the Clauſes, Sentences, Penalties, and Proviſoes therein contained, be hereby declared to be repealed, and is repealed, made null and void to all Intents and Purpoſes whatſoever.

Repeal of a former Act.

II. AND it is hereby enacted and ordained by the Authority aforeſaid, That no Ships, Sloops, or other Veſſels trading to this Iſland, ſhall be ſubject to pay Powder or Powder-money, unleſs the ſaid Ship, Sloop, *&c.* ſhall take on board of her ſome of the Growth or Manufacture of this Iſland; but the Maſters or Owners of all Ships, Sloops, and other Veſſels, that ſhall take on board of the Growth of the ſaid Iſland, ſhall pay to the Keeper of the Stores of the Magazine for the time being one Pound of good Piſtol Powder for each and every Ton of Goods of the Growth of this Iſland (Two Hogſheads or Two Teirces of Sugar being hereby declared to be a Ton, and if any Sugar ſhipt in ſmall Caſk, Two thouſand weight is declared to be a Ton) and each and every Barrel of Indigo ſhall pay equal to a Ton of Sugar which ſuch Ships or other Veſſels ſhall take on board of the Growth of the ſaid Iſland; and for want of ſuch Powder as aforeſaid, every ſuch Maſter or Owner ſhall pay Two Shillings and Six Pence for each Pound of Powder, to be received by the ſaid Keeper of the Stores; and in caſe ſuch Maſter, Owner or Owners, ſhall refuſe to pay the ſaid Powder or Money in lieu of the ſame, that then it ſhall and may be lawful for the Lieutenant-governor, or any of his Majeſty's Juſtices of the Peace (Complaint being to him or any the ſaid Juſtices firſt made by the ſaid Keeper of the Stores of the Magazine) to iſſue out a Warrant, directed to the Provoſt-marſhal, or his lawful Deputy, to apprehend ſuch Maſter, Owner or Owners that ſhall ſo refuſe, and him or them keep in the common Gaol of the ſaid Iſland, until the ſaid Powder or Money be paid to the aforeſaid Officer.

No Ships to pay Powder-money, unleſs they take in Goods, *&c.* of the Growth of this Iſland.

III. AND it is further enacted by the Authority aforeſaid, That the Keeper of the Stores of the Magazine for the time being is hereby required to keep a fair Regiſter of all Entries or Reports in a well bound Book by him

A fair Regiſter to be kept.

to

1714. to be provided and kept for that Purpoſe (which ſaid Book or Books ſhall be paid for out of the publick Stock of this Iſland) and that the ſaid Keeper of the Stores of the Magazine ſhall bring before the Governor, Council, and Aſſembly once every Year, or oftner, if thereunto required, the ſaid Book or Books, wherein ſhall be fairly written the Names of ſuch Maſter or other Perſons who hath ſo entered or reported, with the Names of ſuch their Ships or other Veſſels, together with a true Account of how many Tons of Goods (of the Growth of the ſaid Iſland) each and every Ship or other Veſſel took on board of her, and ſhall faithfully account for all Powder, Money, Arms, or other Stores that ſhall be delivered, or come into his Care or Poſſeſſion by virtue of his Office, for the Uſe and Account of the Publick; and if the ſaid Keeper of the Stores ſhall have Reaſon to ſuſpect any Maſter or Owner to have made a falſe or ſhort Report of the Goods he hath exported, then, and in ſuch Caſe, the ſaid Keeper of the Stores ſhall apply himſelf to the Lieutenant-governor, or Preſident, or any of his Majeſty's Juſtices of the Peace in this Iſland, to iſſue out his Warrant to bring before him every ſuch Maſter or Owner, and ſhall ſwear him or them of the Report he or they hath made of the Goods by him or them exported or taken on board his or their Ship, Sloop, or other Veſſel, and if it be found that the Report be falſe or ſhort, the Maſter or other Perſon making that falſe and ſhort Report, ſhall for the ſame forfeit and pay Three Pounds of good Gun Powder for every Ton ſhort reported or entered, without any Fees or Charges, to be paid by the ſaid Keeper of the Stores.

Penalty for making a falſe or ſhort Report.

Store-keeper to be nominated by the Aſſembly.

IV. And it is further enacted by the Authority aforeſaid, That the Keeper of the Stores of the Magazine from henceforth ſhall be annually nominated by the Aſſembly, recommended by them to the Captain-general, or Commander in Chief for the time being, with Conſent of the Lieutenant-governor and Council, for his Confirmation or Continuance in ſuch Office, for the Term and Space of one Year, and no longer, without a new Election to be made of him in Manner as aforeſaid.

V. Be it further enacted by the Authority aforeſaid, That the ſaid Keeper of the Stores of the Magazine ſhall not any ways ſell, barter, or exchange, commute or take Money, or any Thing or Goods the Value of Money, in lieu of Gun Powder (only as before excepted) Fire-arms, or other Stores of the ſaid Magazine, or which ſhall be under the Care and Truſt, without the Conſent, Leave, or Licence of the Captain-general, and Lieutenant-governor, together with a Majority of the Council and Aſſembly for the time being, firſt had and obtained in Writing, to warrant his ſo doing; and in caſe the ſaid Keeper of the Stores of the ſaid Magazine, or any Perſon or Perſons having at any Time hereafter the Charge and Cuſtody of any Armour, Ordinance, and Munition, Shot, Powder, or Habiliments of War, ſhall, for any Lucre or Gain, wittingly and adviſedly imbezil, purloin, or convey away of the ſame Armour, Ordinance, or Munition, Shot, Powder, or Habiliments of War to the Value of Thirty Shillings, at one or ſeveral Times, that then for every ſuch Offence the ſaid Offender ſhall ſuffer Six Months Impriſonment, without Bail or Mainprize.

Penalty on embezilling Stores.

1715.

An Act to repeal the Act, intituled, The Six Pound Act. N° 67.

N. B. *This Act was never in force, by reaſon the Title of the Act,* N° 47, *intended to be repealed, was not truly tranſcribed into this Title.*

An Act for granting unto the Honourable Thomas Talmaſh *Eſquire, Lieutenant-governor of this Iſland, the ſeveral Rates and Duties upon Wines and other Liquors, and upon Licences for Sale thereof.* N° 68. Expired.

An Act for raiſing a Levy or Tax. N° 69. Expired.

An Act to prevent the making corrupt Indigo. 1717. N° 70.

WHEREAS the Credit and Intereſt of this Iſland chiefly conſiſted in the making good and uncorrupt Indigo, therefore it will be of Advantage to all concerned, that a ſtrict Watch ſhould be kept over thoſe who have lately found out, and now continually put in Practice the making of bad Indigo, either by over-ſteeping of the Indigo Weed, or by ſome other baſe and bad Methods newly invented, which if not timely prevented will redound much to the Diſadvantage of this Iſland; we your Majeſty's moſt loyal and dutiful Subjects, the Governor in Chief of all theſe your Majeſty's *Leeward Charibbee* Iſland, the Preſident, Council, and Aſſembly of this your Majeſty's Iſland of *Montſerrat*, humbly pray your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the Authority aforeſaid, That no Manner of Perſon or Perſons, of what Eſtate or Degree he or they be, ſhall, after the Publication hereof, preſume to make, ſell, or diſpoſe of, in any Manner whatſoever, either in Truck or otherwiſe, any bad or corrupt Indigo, either ſuch as is mixt with Mud, Dirt, or overmuch Lime-water, or mixt with any other baſe Stuff, or any Indigo made after the new found out Preamble.

1717. Way, which is by over-ſteeping the Indigo Weed, and not bating the Indigo-water, or by throwing too much Lime or Lime-water into the ſame, by all which the Indigo becomes corrupt and impure, that every Perſon or Perſons ſo offending ſhall forfeit all the Indigo which he or they ſhall ſo make or offer for Sale, or otherwiſe ſhall offer to diſpoſe of, the ſame ſhall be publickly burnt by the Provoſt-marſhal of this Iſland, or his lawful Deputy, that the ſaid Offender or Offenders, and every one of them, ſhall forfeit Twenty Pounds current Money for every ſuch Offence, over and above the Loſs of his Indigo, and upon Complaint or Information thereof being made to any of his Majeſty's Juſtices of the Peace within this Iſland, the ſaid Juſtice or Juſtices are hereby required and authorized to iſſue his or their Warrant or Warrants from under their Hands and Seals, for apprehending and bringing before them ſuch Offender or Offenders, and upon Conviction or Proof thereof being made by the Oath of one or more credible Witneſſes, or the Party's own Confeſſion, then, and in ſuch Caſe, the aforeſaid Forfeiture ſhall be levied by a Warrant from under the Hand and Seal of any one or more of the ſaid Juſtices, directed to the Provoſt-marſhal, or his lawful Deputy, or any Conſtable within this Iſland, who are hereby required and commanded to execute the ſame; and the ſaid Marſhal, Deputy, or Conſtable, ſhall receive the ſame Fees as the Marſhal uſually doth for levying Executions, and in Default of Payment, or where the Offender ſhall conceal his Effects, ſo that the Marſhal or Conſtable is diſabled from levying the Fine, the Offender ſhall be, by Warrant from the ſaid Juſtices of the Peace before whom ſuch Conviction was had, committed to the common Gaol of this Iſland till he ſhall have paid his Fine, or elſe there to remain without Bail or Mainprize the Space of Six Months.

Penalty on making corrupt Indigo.

To be levied by Diſtreſs and Sale;

or Impriſonment for 6 Months.

II. AND be it further enacted by the Authority aforeſaid, That every Perſon or Perſons whatſoever that ſhall receive, buy, or take in Truck any ſuch corrupt Indigo, as aforeſaid, or that ſhall not ſecure ſuch Indigo, if offered as in the Manner aforeſaid, on any Account whatſoever, and immediately Information thereof made to ſome of his Majeſty's Juſtices of the Peace within this Iſland, ſhall forfeit for every ſuch Offence the Sum of Twenty Pounds current Money of this Iſland, and upon Conviction, and Proof thereof being made, as aforeſaid, to be proceeded againſt for the Recovery of the ſaid Fines, and on Default or Non-payment of the ſame, to be impriſoned as aforeſaid; the one Moiety of all ſuch Fines or Forfeitures to be for the Uſe of his Majeſty, towards the repairing of the Fortifications of his Majeſty's Iſland of *Montſerrat*, and the other Moiety to the Uſe of the Informer.

Penalty on the Buyers of corrupt Indigo.

To be levied as above.

Who to be Judges of the Goods.

III. AND it is hereby further declared, That the Juſtice before whom ſuch Offender ſhall be brought, together with Two Merchants or Trading Perſons of this Iſland, ſhall be Judges whether ſuch Indigo be good, or ought to be condemned, according to the true Intent and Meaning of this Act.

1717-18.

An Act for the reducing of Intereſt from Ten to Six per Cent. N° 71.

N. B. *This Act having a ſuſpending Clauſe not to be in force till confirmed by the Crown, and the ſame not being ſo confirmed, another Act was paſſed in* 1735 *for the ſame Purpoſe, which was immediately in force.*

1718. N° 72. Expired.

An Act for the appointing William Nevin *Eſquire, Agent for the Iſland of* Montſerrat.

An Act for the prohibiting levying of Executions from the laſt of Auguſt *to the firſt of* March. N° 73.

FORASMUCH as it hath been the Practice in this Iſland for ſome Time paſt, for the Provoſt-marſhal, or his Deputy, to levy Executions all the Year round, having no Regard to the Time of the Crops, which Practice is found to be inconvenient, diſadvantageous, and of great Miſchief to the Inhabitants of this Iſland; we therefore pray your Moſt Excellent Majeſty that it may be enacted, and it is hereby enacted, by and with the Conſent of his Excellency the Captain-general, the Council, and Aſſembly of this Iſland of *Montſerrat*, That no Writ of Execution, already iſſued out or which ſhall be iſſued, ſhall be levied upon any Perſon or Perſons whatſoever, or upon their Goods and Chattels, Lands or Tenements, by the Provoſt-marſhal or Deputy Marſhal or Marſhals; that is to ſay, From and after the laſt Day of *Auguſt* in every Year, until the firſt Day of *March* in every Year; and the Provoſt-marſhal, or his Deputy or Deputies, are hereby forbid and prohibited to levy any Writ of Execution upon any Perſon or Perſons, or upon his or their Goods and Chattels, Lands and Tenements, between the laſt Day of *Auguſt* and the firſt of *March* in every Year; and if any Provoſt-marſhal, or his Deputy or Deputies, ſhall offend contrary to this Act, ſhall forfeit to the Party or Parties ſo aggrieved the Sum of Five hundred Pounds lawful Money of this Iſland, to be recovered by him or them, his or their Executors or Adminiſtrators, together with Coſts of Suit, and for which he or they may ſue, by Action of Debt, Information, or otherwiſe, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

Times of levying Executions limited.

An

1718.

№° 74. Expired. *An Act for raiſing a Levy or Poll Tax, and Aſſeſſment upon Trading Men,* &c. *to pay off the publick Debts of this Iſland.*

1719. №° 75. *An Act for the puniſhing ſuch Perſons as ſhall detain other Perſon's Slaves or Servants.*

FORASMUCH as many Perſons in this Iſland are and have been very ſubject to detain in their Plantations other Mens Slaves or Servants that have been run away from their Maſters or Miſtreſſes, which hath been very injurious to the Inhabitants of this Iſland; for Prevention whereof for the future, we pray your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by his Excellency *Walter Hamilton* Eſquire, Captain-general, and Governor in Chief in and over all your Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of *Montſerrat*, That whatſoever Perſon or Perſons ſhall preſume to delude away any other Perſon's Slaves or Servants run away, in her or his Plantation, or ſhall employ the ſaid Slaves or Servants ſo run away or abſent from his Maſter or Miſtreſs, ſhall forfeit and pay to the Owner or Owners of ſuch Slaves or Servants Twenty Shillings *per diem* current Money for every Day it ſhall be proved that each of the ſaid Slaves or Servants were entertained or kept in his or her Plantation, with the Knowledge and Privity of the Owner or Manager of ſuch Plantation, and without the Conſent of the Owner or Manager of the ſaid Slaves or Servants, to be immediately executed on the Offender or Offenders, upon his or their Conviction by the Oath of a credible Witneſs, or Confeſſion of the Party to be accuſed, before the Chief Juſtice and his Aſſiſtants for the time being, and upon the Oath of Twelve Men, upon an Action of the Caſe or Detinue, in which there ſhall be no Eſſoign, Protection, or Wager of Law, and but one Imparlance; provided, That no Verdict that ſhall be found by the ſaid aforeſaid Twelve Men, ſhall exceed or be leſs than the Sum of Twenty Shillings *per diem*.

Penalty on employing runaway Slaves or Servants.

II. AND it is further provided, That after Judgement there ſhall iſſue out a *Fieri facias*, to be executed by the Provoſt-marſhal, or his lawful Deputy for the time being, upon the Goods and Chattels, Lands and Tenements of the Offender, to be ſold at publick Outcry to ſatisfy the Plaintiff, and the Overplus to be returned to the Defendant; and if no Goods and Chattels, Lands and Tenements to be found, then a *Capias ad Satisfaciendum* to be executed as aforeſaid: Provided, That nothing in this Act ſhall affect any Executor, Adminiſtrator, or Guardian, detaining any Servants or Slaves as he is Executor, Adminiſtrator, or Guardian: Provided alſo, That nothing in this Act ſhall affect any Perſon detaining any Slaves or Servants by any Writ of Replevin, yet notwithſtanding the Perſon damaged upon Account of ſuch Writ of Replevin, may bring his Action of Damages at any Court of Law, as uſual.

To be levied by Diſtreſs and Sale.

An

1719.

An Act for the exempting the ſeveral Members of the Council and Aſſembly, and other Perſons, from Arreſts on publick Days. № 76.

FORASMUCH as the ſeveral Members of the Council and Aſſembly of this Iſland, and their reſpective Clerks, are obliged to meet and attend the publick Service as often as they are convened by the Captain-general, Lieutenant-governor, or other Commanding Officer, in order to the redreſſing many Grievances, and for the making good and wholeſom Laws for the Benefit of this Colony: And foraſmuch as the aforeſaid Members, and every other the Inhabitants of this Iſland, are obliged to attend upon the Courts of Juſtice, when held, either as Jurymen, Evidences, or as Plaintiffs or Defendants, as alſo to meet upon the Summons of their reſpective Officers, in order to be diſciplined; all which has been often neglected, by reaſon of the Apprehenſion the aforeſaid Perſons have been under of being taken up by Warrants of Arreſt, or Writs of Execution; for Prevention of which for the future, and in order that the publick Good may not be impeaded, we pray your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted and ordained by his Excellency *Walter Hamilton* Eſquire, Captain-general, and Governor in Chief of all your Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of *Montſerrat*, That from and after the Publication of this Act, the Provoſt-marſhal, or his Deputy or Deputies, ſhall not, by virtue of any Writ iſſuing out, or that ſhall iſſue out of any Court of Juſtice within this Iſland, levy the ſame upon any of the aforeſaid Perſons, or upon any Servant or Slave waiting on them, or upon the Horſe they ſhall ride at ſuch publick Days, as aforeſaid, but all ſuch Perſons, and their Servants, *&c.* are hereby exempted from ſuch Arreſt on ſuch publick Days, and for Twenty four Hours before ſuch Day or Days of meeting, and Twenty four Hours after; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Perſons not to be arreſted on publick Days.

1721.

A Repeal of an Act, whereby the Duties on Wines and other Liquors, and upon Licences, are given to the Honourable Thomas Talmach *Eſquire, and for appointing the former Duties to be levied on Wines and other ſtrong Liquors imported into this Iſland.* № 77. Expired.

1721.
№ 78.
Expired.

An Act for raiſing a Levy or Poll Tax, and for taxing and aſſeſſing of the Houſes in the Town of Plymouth, *to pay off the publick Debts of this Iſland.*

1721-2.
№ 79.
Expired.

An Act for granting to his Majeſty, his Heirs and Succeſſors, certain Duties upon the Impoſt of dry Goods and Liquors, &c. *and for the Payment of Five hundred Pounds annually to his Excellency* John Hart *Eſquire, Captain-general, and Governor in Chief of all his Majeſty's* Leeward Charibbee *Iſlands in* America.

№ 80.
Expired.

An Act for raiſing a Levy or Poll Tax, for taxing the ſeveral Houſes within the Town of Plymouth, *and for aſſeſſing each reſpective Trader within the ſaid Iſland.*

1722.
№ 81.
Expired.

An Act for granting to his Majeſty, his Heirs and Succeſſors, certain Duties upon the Impoſts of Beef, Pork, Herrings, &c. *towards defraying the annual Expences of the Honourable* Charles Dilke *Eſquire, Lieutenant-governor.*

An

1722.

An Act for the preventing keeping Canoes, unleſs ſufficient Security be given; and to prevent Members of the Council and Aſſembly ſigning any Adjuſtments out of their reſpective Houſes. No 82.

WHEREAS it hath been taken into Conſideration how grievous and intolerable it is and hath been to the Inhabitants of this Iſland, by Means of Perſons keeping Canoes, and take little or no Care of them, by which many of the aforeſaid Inhabitants have been great Sufferers, by their Slaves being carried, and running off in the ſaid Canoes; for the preventing the ſaid Loſſes for the future, we pray your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the Governor in Chief in and over all your Majeſty's *Leeward Charibbee* Iſlands, the Council and Aſſembly of *Montſerrat*, That all and every Perſon or Perſons within the ſaid Iſland, that is Owner or Part-owner of any Canoe or Canoes, do, within Six Days after Publication of this Act, repair to the Secretary's Office in this Iſland, and there give in Bond, with Two able and ſufficient Securities, being Freeholders, for the Sum of Five hundred Pounds current Money, payable to the Lieutenant-governor, or Preſident, or their Succeſſors, for the paying ſuch Perſon or Perſons the Loſs he or they ſhall ſuſtain by Means of their Slave or Slaves running off in his or their Canoe or Canoes. Security to be given by Perſons keeping Canoes.

II. AND it is further enacted by the Authority aforeſaid, That whatſoever Perſon or Perſons ſhall ſuffer by Means aforeſaid, that in all ſuch Caſes ſuch Perſon's Bond (given as aforeſaid) ſhall be ſigned over by Letter of Attorney from ſuch Lieutenant-governor, or Preſident, to ſuch Perſon or Perſons as ſhall be thereby prejudiced, to be ſued in any of his Majeſty's Courts within this Iſland, and the Penalty thereof recovered againſt him or them, out of which Recovery Satisfaction ſhall be awarded to the Perſon or Perſons prejudiced, with his Charge and Damages; and if ſuch Lieutenant-governor, or Preſident, upon Requeſt made by the Perſon ſuffering, ſhall refuſe or neglect to ſign over to him, by Letter of Attorney, ſuch Bond or Bonds (given as aforeſaid) he ſhall forfeit Five hundred Pounds current Money to the Party or Parties grieved, to be recovered by him or them, his Executors, or their Adminiſtrators, againſt ſuch Lieutenant-governor, or Preſident, his Executors or Adminiſtrators, by Action of Debt, Bill, Plaint, or Information in any of the Courts of Record within this Iſland, wherein no Eſſoign, Protection, Privilege, Injunction, or Wager of Law ſhall be admitted or allowed. Perſons damaged, to ſue the Security. Penalty on Governor, &c. not complying with this Law.

III. AND if any Owner or Part-owner of ſuch Canoe or Canoes ſhall neglect or refuſe to give in ſuch Security as aforeſaid, and within the Time aforeſaid, that then it ſhall and may be lawful for the Provoſt-marſhal, or his Deputy, and for all and every the Conſtables within this Iſland, and all other publick Officers therein, calling to their Aſſiſtance ſuch Perſon or Perſons as they or any of them ſhall find convenient and neceſſary, to burn, conſume, or break into Pieces, and utterly deſtroy all and every ſuch Canoe or Canoes. Penalty on not giving Security.

IV. AND if any ſuch Canoe or Canoes ſhall lie undeſtroyed by the Space of Fourteen Days after the Owner or Owners thereof ſhall refuſe to give in ſuch Bond, that then the Conſtable or Conſtables, or other aforeſaid publick Officers, within whoſe reſpective Pariſh ſuch Canoe or Canoes ſhall lie undeſtroyed, ſhall pay for every ſuch Offence Twenty Penalty on Conſtable, &c. not performing their Duty.

1722. Pounds lawful Money of the Iſland aforeſaid, the one Moiety to our Sovereign Lord the King, to be applied to repairing the Fortifications of this Iſland, the other Moiety to him that ſhall ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record within this Iſland.

Penalty for refuſing to aſſiſt the Officers in their Duty.

V. AND if any Perſon ſhall refuſe or neglect to aid and aſſiſt (being thereunto required) any of the aforeſaid Officers in the due Execution of this Act, every ſuch Perſon or Perſons for ſuch Offence ſhall be committed to the common Gaol of this Iſland, there to remain for the Space of Three Months without Bail or Mainprize.

Where publick Adjuſtments are to be ſigned.

VI. AND it is hereby further enacted by the Authority aforeſaid, That if any Member of the Council and Aſſembly ſhall, after the Publication of this Act, ſign any publick Adjuſtment out of their reſpective Houſes, ſhall forfeit for every ſuch Offence One hundred Pounds current Money, the one Moiety to our Sovereign Lord the King, to be applied to the repairing the Fortifications aforeſaid, the other Moiety to him that ſhall ſue for the ſame, being a Member of either Houſe, in Form aforeſaid, provided the ſaid Action be brought within Seven Months after ſuch Offence committed.

1723-4. № 83. Expired.

An Act for granting to his Majeſty, his Heirs and Succeſſors, certain Duties upon the Impoſt of Liquors, and upon Houſe Rent and Mills in this Iſland, for the Payment of Five hundred Pounds annually to his Excellency John Hart *Eſquire, Captain-general, and Governor in Chief of all his Majeſty's* Leeward Charibbee *Iſlands in* America.

№ 84. Expired.

An Act for raiſing a Levy or Poll Tax, towards paying and diſcharging the Debts of this Iſland.

An

1724.

An Act to prevent the frequenting of Taverns, Alehouſes, and other Tippling-houſes by Seamen; and for the preventing the ſelling of Rum, Rum Punch, or other Liquors, to Negroes on Sundays. N° 85.

WHEREAS the frequenting of Taverns, Alehouſes, and other Tippling-houſes, by the ſeveral Seamen arriving to this Iſland, and the great Neglects by them committed in the Service of their reſpective Maſters and Employers, to the great Damage of the ſame, and becauſe of the Readineſs of ſeveral People to truſt Sailors, which Maſters are often forced to pay, or elſe the Veſſels cannot ſail, and their Voyage hindered and loſt; for Prevention whereof for the future, we pray your Moſt Excellent Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the Commander in Chief of his Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of *Montſerrat*, That whatſoever Seamen ſhall be found on Shore after Eight of the Clock at Night, and ſhall not ſhew a Certificate for his being ſo aſhore from the Maſter or Owner whom he ſerves, or cannot give a good Account thereof, ſhall be taken up by the next Conſtable or Officer, and be conveyed to the common Gaol, and the next Morning to be brought to a Juſtice of the Peace, who, according as in his Diſcretion ſhall ſee good, ſhall releaſe him: And whoſoever ſhall be found to receive or entertain ſuch Seamen into their Houſes after the Time aforeſaid, being not licenſed thereto, as aforeſaid, ſhall forthwith, on ſuch Default, forfeit and pay unto the publick Treaſury, to the publick Uſe of this Iſland, Forty Shillings current Money, the ſame to be levied by Warrant to the Conſtable from the ſaid Juſtice of Peace directed.

Sailors found on Shore at Night, without Certificate, to be impriſoned.

Penalty for entertaining Sailors at unſeaſonable Times.

II. AND it is hereby further enacted and ordained by the Authority aforeſaid, That no Maſter or Commander of any Ship or Veſſel ſhall be liable to pay any of the Scores or Debts (exceeding Six Shillings) made by their reſpective Seamen in any Taverns, Alehouſes, or other Tippling-houſes in this Iſland, but that all Perſons ſo truſting any ſuch Seamen for Liquor, they having not Engagement for the ſame from their Maſter, ſhall be incapable of recovering the ſame in any Court within this Iſland.

Sailors not to be truſted above 6 *s.*

III. AND foraſmuch as many Enormities have been committed, and great Hurts done by the exceſſive Drinking of Negroes and other Slaves, in Tippling-houſes on the Sabbath Day; for remedy whereof for the future, be it further enacted by the Authority aforeſaid, That whatſoever Perſon or Perſons within the Towns of *Plymouth* and *Kingſale*, or living betwixt the ſaid Two Towns, after Publication hereof, ſhall ſell any Rum, or any ſtrong Liquors, to any Negro or Slave, or to any other Perſon for the Uſe of any Negro or Slave, and being convicted thereof, by the Oath of any Chriſtian, before the next Juſtice of the Peace, ſhall forfeit Forty Shillings current Money for every ſuch Offence, the one Half to the Informer, the other Half to the Poor of the Pariſh where ſuch Offender liveth, to be recovered as aforeſaid: And if any white Perſon whatſoever ſhall buy any Rum, or other ſtrong Liquors, for any Negro or Slave, ſhall forfeit Twenty Shillings for every ſuch Offence, to be diſpoſed of as aforeſaid, and to be recovered as aforeſaid, or receive Ten Laſhes upon his or her bare Back, by any Conſtable, or ſuch as he ſhall procure.

Penalty on ſelling ſtrong Liquors to Slaves, *&c.*

1724.
№ 86.

An Act for holding a Court of General Seſſions.

WHEREAS it is found neceſſary, for the Peace and good Government of this Iſland, and for the Benefit and Safety of the Inhabitants, that there ſhould be held once every Year a Court of Grand Seſſions of *Oyer* and *Terminer*, General Gaol Delivery, and General Seſſions of the Peace; we therefore pray Your Moſt Excellent Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the Governor in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands, the Council and Aſſembly of *Montſerrat*, That from and after Publication of this Act, once in every Year, *viz.* on the firſt *Tueſday* in *October*, ſhall be held in the Town of *Plymouth* a Court of Grand Seſſions of *Oyer* and *Terminer*, General Gaol Delivery, and General Seſſions of the Peace, by ſuch Perſons as are hereafter nominated and appointed; that is to ſay, The Lieutenant-governor for the time being, the Preſident of the Council, and all other Members of the Council for the time being, His Majeſty's Chief Juſtice, and Juſtices Aſſiſtants for the time being, and all other His Majeſty's Juſtices of the Peace for this Iſland for the time being, in which Seſſions the firſt nominated by this Act, being on this Iſland, ſhall preſide, whereof the Lieutenant-governor, or Preſident of the Council for the time being, and any Five of His Majeſty's Council, or the Chief Juſtice, or Juſtices Aſſiſtants for the time being, to be of the *Quorum*; and all the Proceedings of the ſaid Court ſhall be according to the Laws and Statutes of *Great Britain*, and according to the Laws of this Iſland:

General Seſſions to be held once a Year at *Plymouth*.

And for the more regular holding the ſaid Seſſions, the Lieutenant-governor, or other Perſon firſt named, as aforeſaid, ſhall give Notice to the Inhabitants by his Precepts or Writs, directed to the Provoſt-marſhal, or his Deputy, and to the ſeveral Conſtables in every Pariſh, of the Time and Place when and where the ſaid Court of Seſſions is to be held, and there to repair and give their Attendance, to do ſuch Services in His Majeſty's Behalf as ſhall be then and there required of them, and thence not to depart till they be diſcharged by the ſaid Court; and the ſaid Marſhal, Deputy, and Conſtables, ſhall make their ſeveral Returns of the Freeholders ſummoned by them, to the Clerk of the Crown, or his Deputy, Eight Days before the Sitting of the ſaid Seſſions, otherwiſe to be fined at the Diſcretion of the Court.

Freeholders to be ſummoned.

II. AND be it further enacted by the Authority aforeſaid, That the ſeveral Juſtices of the Peace, Coroners, and other Officers, before whom any Matters of Life and Death ſhall, or Recognizances, Inqueſts, Depoſitions, or other Writings relating to the Seſſions, be made or taken, ſhall ſend the ſame to the Clerk of the Crown, or his Deputy, Eight Days at leaſt before the ſaid Seſſions, under the Penalty of forfeiting Twenty Pounds, to the Uſe of His Majeſty, upon Proof thereof made to the Lieutenant-governor, or any other Magiſtrate, and to ſtand committed by Warrant from either the ſaid Perſons, till the ſaid Forfeiture is paid.

Juſtices to ſend Depoſitions, *&c.* to the Clerk of the Crown.

III. AND be it further enacted by the Authority aforeſaid, That whoſoever of His Majeſty's ſaid Juſtices, Coroners, and other Officers, or other Perſons ſummoned as Jurymen, or who ought to give their Attendance at the ſaid Seſſions, ſhall fail in their Attendance according to their ſeveral Duties, or neglect to appear, being called, or depart from the ſaid Seſſions during the Sitting of the ſame, without Leave for his or their ſo doing, ſhall be fined Five Pounds, to the Uſe of His Majeſty.

Penalty on not attending Seſſions.

IV. AND

1724.

IV. And be it enacted by the Authority aforeſaid, That all Perſons bound over to proſecute any Perſon or Perſons whatſoever at the ſaid Seſſions, ſhall, Seven Days at leaſt before the ſaid Seſſions, apply themſelves to His Majeſty's Attorney or Solicitor General, or to His Majeſty's Counſel at Law, or to the Clerk of the Crown, in order to carry on the ſaid Proſecutions, and ſhall give the fulleſt and beſt Information they can of the ſeveral Matters and Crimes by them to be proſecuted, to the End that Bills of Indictments or Informations, as the ſeveral Caſes ſhall require, may in due Time be prepared; and every Perſon bound over to proſecute, who ſhall fail herein, ſhall forfeit to His Majeſty, His Heirs and Succeſſors, the Sum of Ten Pounds.

Proſecutor to apply to Attorney-general, &c.

V. And be it further enacted, That the incident Charges of every Seſſions, as to the Entertainment of the Court, and Grand Jury (not exceeding in any Seſſions the Sum of Fifty Pounds) ſhall be paid out of the Fines and Forfeitures.

Expence of Seſſions, how to be defrayed.

VI. And be it further enacted by the Authority aforeſaid, That the Clerk of the Crown, or his lawful Deputy, ſhall, within Three Weeks after the End of every Seſſions, certify and return to the Lieutenant-governor, or Preſident in Council for the time being, or into His Majeſty's Court of Exchequer, a full and particular Account of Fines, Forfeitures, and Eſtreats at the ſaid Seſſions, under the Penalty and Forfeiture of Fifty Pounds on the ſaid Clerk of the Crown, for every Fine, Forfeiture, and Recognizance, ordered to be eſtreated, which he ſhall not return, as aforeſaid.

Clerk of the Crown to return Eſtreats, &c.

VII. And be it further enacted by the Authority aforeſaid, That the ſeveral Fines and Forfeitures which ſhall become due by virtue of this Act, ſhall be to His Majeſty, His Heirs and Succeſſors, to the Uſe and Purpoſes herein after declared; that is to ſay, towards the repairing, and keeping in Repair the Forts and Fortifications in this Iſland, and the contingent Charges thereof, and to be paid into the Hands of the publick Treaſurer.

Forfeitures how to be applied.

An Act for raiſing a Levy or Poll Tax.

1726.
№ 87.
Expired.

An Act for granting to His Majeſty, His Heirs and Succeſſors, certain Duties upon the Impoſt of Liquors, and upon Houſe Rent in the Town of Plymouth, *and Mills in this Iſland, for the Payment of Six hundred Pounds* per Annum *in the Species of Gold or Silver, unto his Excellency* Thomas *Earl of* Londonderry, *Captain-general, and Governor in Chief of all His Majeſty's* Leeward Charibbee *Iſlands in* America.

1728-9.
№ 88.
Expired.

An

1729.

№ 89. *An Act for the eſtabliſhing of a Court of King's-bench and Common-pleas, and a Court of Errors, and for the more ſpeedy Execution of Juſtice; and for collecting certain Fines and Penalties on the Officers taking other Fees than allowed in a Docket ſettled by his Excellency, by the Advice of the Council.*

FORASMUCH as nothing can tend more to the Encouragement of Trade, or more effectually promote the Reputation and Proſperity of the ſaid Iſland, than the eſtabliſhing of Courts, wherein Juſtice may be frequently and duly adminiſtred; we His Majeſty's moſt dutiful and loyal Subjects, the Governor in Chief of all His Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of *Montſerrat*, do moſt humbly pray His Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Governor in Chief,

Court of King's-bench and Common-pleas.

and the ſaid Council and Aſſembly, and by the Authority thereof, That in the ſaid Iſland of *Montſerrat* ſhall hereafter be held a Court of King's-bench and Common-pleas, which ſhall conſiſt of a Chief Juſtice, and Four other Juſtices Aſſiſtants, to be from time to time appointed by the Governor or Commander in Chief of the ſaid *Leeward* Iſlands in *America*; which Juſtices ſhall be, and they are hereby authorized to hear, try, and determine in the ſaid Court according to the Laws and Uſage of the Realm of *Great Britain*, and the Laws and Uſage of the ſaid Iſland, as well all Actions, Suits, and Proſecutions at Law as are now depending in the preſent Court of King's-bench and Common-pleas of the ſaid Iſland, as thoſe which hereafter ſhall be commenced or brought in the Court to be eſtabliſhed by this Act.

Juſtices to take the Oaths, &c.

II. AND be it enacted by the Authority aforeſaid, That the ſaid Juſtices, before they enter upon the Execution of their ſaid Offices, reſpectively, take the Oaths of Allegiance, Supremacy, and Abjuration, and make and ſubſcribe the Declaration mentioned in an Act of Parliament made in the Thirteenth Year of the Reign of the late King *Charles* the Second, together with the following Oath; *viz.*

The Oath.

I A. B. *do ſwear upon the holy Evangeliſts, That I will not delay or deny Juſtice to any Perſon, but with my utmoſt Diligence will execute and perform the Office of Chief Juſtice (or Juſtice Aſſiſtant) and to the beſt of my Skill will give Judgement in all Matters by me to be determined, without Intereſt, Prejudice, or Affection.*

So help me God.

Which Oaths ſhall be adminiſtred to the ſaid Chief Juſtice and Juſtices Aſſiſtants, by the Council of this Iſland.

Power of the Juſtices.

III. AND it is hereby declared by the Authority aforeſaid, That the ſaid Juſtices, after having ſo qualified themſelves, ſhall have as full and ample Power, Authority, and Juriſdiction in all things within the ſaid Iſland, as the Judges of His Majeſty's Courts of King's-bench and Common-pleas at *Weſtminſter* have or can reſpectively have or exerciſe within the ſaid Realm of *Great Britain*; ſubject nevertheleſs to ſuch Juriſdictions, Power,

and Authority, as His Majeſty's ſaid Court of King's-bench at *Weſtminſter* hath uſually had and exerciſed over all other Courts of Law or Juſtice within His ſaid Majeſty's Kingdoms and Dominions, and the Proceedings and Judgements thereof. 1729.

Court of King's-bench, where to be held, and when.

IV. AND be it enacted by the Authority aforeſaid, That the ſaid Court ſhall for the future be held at the Town of *Plymouth* in the ſaid Iſland, on the ſecond *Tueſday* of the Months of *March*, *April*, *May*, *June*, *July*, and *Auguſt* in every Year, and ſhall or may be adjourned or continued by the ſaid Juſtices, or any Two of them, at their Diſcretions, ſo as ſuch Adjournment be not made for any longer Time than Ten Days from the Time of ſuch Adjournment; provided always, That no Adjournment of the ſaid Court in the Month of *Auguſt* in every reſpective Year, be made for any longer Time than Three Days only.

Times of Adjournment.

Directions concerning General Iſſues, Special Pleas, &c.

V. AND be it enacted by the Authority aforeſaid, That any Two Juſtices of the ſaid Court may hear and try all General Iſſues; but that no Judgement ſhall be given on any Special Plea, Demurrer, or Special Verdict, or on any General Verdict, where any Motion ſhall be made in Arreſt of Judgement, or other Matter of Law ſhall ariſe, but in the Preſence of Three of the ſaid Juſtices at the leaſt, and any Judgement otherwiſe given, ſhall be, *ipſo facto*, void.

Actions and Declarations, when to be entered, filed, and ſerved.

VI. AND be it enacted by the Authority aforeſaid, That all Actions to be brought or commenced in the ſaid Court ſhall be entered, and all Declarations ſhall be filed in the Secretary's Office Ten Days at leaſt before the Sitting of each Court; and that Copies of all Declarations, and alſo all Writs of Summons, ſhall be ſerved on the Parties Defendants Four Days, excluſive of the Court Day; which ſaid Writ of Summons ſhall be after the Manner following, *viz.*

MONTSERRAT,

GEORGE, by the Grace of God, &c. *To the Provoſt-marſhal, or his lawful Deputy; Greeting:*

Form of a Writ of Summons.

WE command you to ſummon A. B. *to be and appear at Our next Court of King's-bench and Common-pleas to be held for this Iſland the Day of at the Town of* Plymouth, *then and there to anſwer* C. D. *in an Action of Hereof let him not fail, at his Peril.*

Witneſs *E. F.* Our Chief Juſtice of Our ſaid Court, the Day of in the Year of Our Reign.

Copy of the Account may be filed.

VII. BUT it is hereby enacted by the Authority aforeſaid, That in all Actions of Account, and Actions upon Bills, Bonds, and *Aſſumpſits*, the Plaintiff need not file any Declaration, but a Copy of the Account or Demand, ſigned by the Plaintiff or his Attorney, and a Summons aforeſaid for the Defendant's Appearance, ſhall be as good and effectual as an Original: And in caſe any Defendant or Defendants in any Action or Actions which ſhall be brought or commenced againſt him or them, ſhall conceal him or themſelves, ſo as the Provoſt-marſhal, or his Deputy, or other Perſon ſummoning, cannot find ſuch Defendant or Defendants, or if ſuch Defendant or Defendants ſhall, at the Time of bringing or commencing of any Action or Suit againſt him or them, happen to be abſent from the ſaid Iſland, then in either of the ſaid Caſes, one Summons and a Copy of the Declaration or Demand (as the Caſe ſhall require) being left at his or their uſual Place of Abode, or upon the Freehold of ſuch Defendant or Defendants, and another Summons nailed up at the

Manner of ſerving a Declaration.

1729.

Court-houſe Door, ſhall be deemed and taken as ſufficient as a perſonal Service and Delivery of ſuch Summons, Declaration, or Demand upon or to ſuch Defendant or Defendants.

Directions for trying ſmall Actions.

VIII. AND be it enacted by the Authority aforeſaid, That the ſaid Juſtices, or any of them, ſhall have Power to hear and determine in Court, without a Jury, all Manner of Actions and Suits under the Value of Ten Pounds current Money, or One thouſand Pounds of Sugar, and likewiſe all Cauſes relating to Servants Wages, and Debts due to Artificers and Labourers for Work done, not exceeding Two thouſand Pounds of Sugar, or Fifteen Pounds current Money, and in ſuch Caſe the Oath of the Plaintiff ſhall, if the Court think fit, be a ſufficient Evidence to prove the Debt or Demand.

Time limited for determining Suits.

IX. AND be it enacted by the Authority aforeſaid, That all Trials of Actions or Suits in the ſaid Courts, ſhall be at the ſecond Court next after the bringing or commencing of ſuch Actions or Suits; and that Judgement ſhall there immediately be given upon every Verdict found in the ſaid Court, unleſs the Party againſt whom ſuch Judgement is to be given ſhall at the ſame Court ſhew ſufficient Cauſe to arreſt or ſtay the ſame; and if any Defendant or Defendants ſhall make Default at the ſecond Court in any Action for Debt or Contract made, or Duty ariſing, or for Goods or other Things ſold, or for Promiſe made, the Court ſhall take the Evidence, and Judgement ſhall be given againſt him thereupon as by Default; and that in all Judgements by Default, upon the Plaintiff's proving his Cauſe of Action to the Court by lawful Evidence, the Court ſhall adjuſt the Debt and Damages, which ſhall be as effectual as if a Writ of Enquiry had been executed thereon; provided, That if ſuch Defendant be a Minor, *non Compos mentis*, or abſent from this Government, ſuch Perſons, after their reſpective Diſabilities removed, may, by themſelves or their Attornies, have their ſeveral Remedies for what they wrongfully loſt by the ſaid Judgement; any Law or Cuſtom to the contrary notwithſtanding.

Proviſo.

How the Plaintiff is to proceed in Order for Trial.

X. AND be it enacted by the Authority aforeſaid, That all Special Pleas and Demurrers to Actions, Writs, or Declarations, ſhall be filed, and Copies delivered to the other Side Ten Days before the ſecond Court, otherwiſe the Defendant ſhall be obliged to plead the General Iſſue; and the Plaintiff ſhall file and deliver (as above) his Demurrer or Replication, or other Matter by him to be pleaded, Six Days before the Court Day, otherwiſe the Defendant ſhall have Day till the third Court; and that upon a Joinder in Demurrer, the Juſtices ſhall appoint a Day, not exceeding Ten Days, to hear it argued, and upon a reaſonable Cauſe may adjourn any Plea to the next Court, and no longer.

By whom Executions are to be ſigned.

XI. AND be it enacted by the Authority aforeſaid, That immediately after all Judgements for Debt or Damages, the Chief Juſtice, or, in his Abſence or Sickneſs, the next ſenior Juſtice, and after the next Juſtice, and ſo on, ſucceſſively, to all in Commiſſion, ſhall, at the Requeſt of the Party obtaining Judgement, ſign and ſeal a Writ of Execution of ſuch Judgement; which ſaid Execution ſhall be after the Manner following, *viz.*

GEORGE, by the Grace of God, &c. To the Provoſt-marſhal, or his lawful Deputy; Greeting:

Form of the Execution.

WHEREAS at Our Court of King's-bench and Common-pleas held at the Town of Plymouth *in the aforeſaid Iſland, Judgement was obtained againſt* *at the Suit of*
for *Theſe are therefore to command you to levy*
of

1729.

of the Goods and Chattels, Lands and Tenements of the ſaid ſufficient to ſatisfy the ſaid Defendant, and the Sum of for Coſts of Suit; that is to ſay, Firſt, on Sugars, Cotton, Indigo, Rum, Molaſſes, and Ginger, or any Goods or Merchandize of the Growth or Manufacture of this Iſland, or Merchandize; and for want of ſuch Goods and Chattels, to levy the ſaid Debt and Coſts upon the Houſhold Goods and Furniture of the ſaid Houſe; and for want of ſuch, to levy the ſaid Debt and Coſts upon the Cattle, Horſes, Aſſes, Mules, and Plantation Utenſils of the ſaid and for want of ſuch, to levy the ſaid Debt and Coſts on the ſaid Slaves; and for want of ſuch Slaves, you are to levy the ſame upon the ſaid Lands and Tenements; and for want of ſuch Goods and Chattels, Lands and Tenements, then you are hereby commanded to take the Body of the ſaid and him in ſafe Cuſtody to keep until the ſaid Debt and Coſts ſhall be fully ſatisfied: And have you this Writ duly executed before Our Juſtices, at Our Court of King's-bench and Common-pleas to be held for this Iſland at the Town of Plymouth *aforeſaid, on the Day of now next enſuing.*

Witneſs Chief Juſtice of Our ſaid Court, this
Day of in the Year of
Our Reign.

XII. AND be it enacted by the Authority aforeſaid, That the ſaid Provoſt-marſhal, or his lawful Deputy, and all other Perſons levying Executions, ſhall levy the ſame according to the Directions of ſuch Executions, under the Penalty of Fifty Pounds for each Neglect or Default therein: But yet, if after the levying the Execution, the Defendant ſhall give unto the Provoſt-marſhal, or his Deputy, ſufficient Security in double the Value of the Goods and Things taken, to ſee the ſame forthcoming at the Day of Sale thereof; then the Provoſt-marſhal, or his Deputy, ſhall deliver to ſuch Defendant the Goods and Things ſo taken in Execution, to be by him kept during that Time; within which Time ſuch Defendant may pay and diſcharge the Debt, with Coſts; but if he doth not, then the Provoſt-marſhal, or his Deputy, ſhall cauſe the Goods and Things ſo taken in Execution to be publickly ſold at the Town of *Plymouth* in the ſaid Iſland; which ſaid Sales ſhall always be in the Preſence of Four credible Witneſſes at the leaſt, and between the Hours of Ten of the Clock in the Morning and Four in the Afternoon of the ſame Day, and not cloſed till then: After which ſaid Sale, the ſaid Provoſt-marſhal, or his Deputy, ſhall immediately pay unto the Plaintiff his Debt, with Coſts; and after deducting all Charges attending ſuch Sale, ſhall return the Overplus, if any ſhall be, to the Defendant; but if the Things ſo levied on, ſhall not amount to the Value of ſuch Debt and Coſts, then the Marſhal, or his Deputy, ſhall further levy of the Goods and Chattels, Lands and Tenements of ſuch Defendant ſufficient to pay the ſaid Debt, with Coſts.

Penalty on the Officer not doing his Duty.

Defendant's Goods taken in Execution, may be bailed.

Directions for the Sale of Goods taken in Execution.

XIII. PROVIDED always, and be it further enacted and declared by the Authority aforeſaid, That the Provoſt-marſhal, or his Deputy, and all and every other Perſon or Perſons making Sales of any Lands, Tenements, Goods, or Chattels, taken in Execution by virtue of this Act, ſhall be, and they and every of them are and is hereby obliged to accept, receive, and take from any Purchaſer or Purchaſers thereof, in Payment and Satisfaction of the ſame, Sugars, Cotton, Indigo, Rum, and Molaſſes, paid and delivered him down upon ſuch Sale, by ſuch Purchaſer or Purchaſers, at any uſual Shipping-place in the ſaid Iſland, at the current Price the ſaid Commodities ſhall at that Time reſpectively bear in the ſaid Iſland;

Goods ſold, to be purchaſed with Goods.

d and

1729. and that the Plaintiff or Plaintiffs in ſuch Execution ſhall alſo accept, take, and receive of and from the ſaid Provoſt-marſhal, or his Deputy, or ſuch other Perſon or Perſons ſelling ſuch Lands, Tenements, Goods or Chattels, ſuch of the ſaid Commodities as he or they ſhall ſo receive upon ſuch Sale at the reſpective Shipping-places; the ſaid Commodities ſhall be paid to the Provoſt-marſhal, or his Deputy, or ſuch other Perſon or Perſons, ſo always as the ſaid Commodities ſo to be paid to ſuch Plaintiff or Plaintiffs, do not amount to more than his or their Debt and Coſts of Suit.

Warrant to nominate Appraiſers.

XIV. PROVIDED always, That if any Difference ſhould ariſe between the Plaintiff and the Defendant, touching the Quality and Value of the ſaid Commodities, that the Plaintiff or Defendant, if either of them ſhall think fit, may have a Warrant under the Hand and Seal of the Chief Juſtice of this Iſland for the time being, or, in caſe of his Abſence or Diſability, under the Hand and Seal of the next ſenior Juſtice of the Court, commanding the Plaintiff and Defendant within Two Days to nominate Two Perſons on each of their Behalf to value and appraiſe upon Oath ſuch Sugar, Cotton, Indigo, Rum, or Molaſſes, together with the Caſk or Bag wherein the ſame is contained; and if the ſaid Appraiſers ſhall not agree at what Rate to value the ſaid Goods, that then, and in ſuch Caſe, they or any Three of them may nominate an Appraiſer or Umpire to value the ſame.

Penalty on Appraiſers refuſing to act.

XV. AND be it further enacted by the Authority aforeſaid, That when any Appraiſer or Appraiſers, or Umpire, ſo nominated, and being duly ſerved with the Warrant, ſhall neglect or refuſe to act purſuant to ſuch Warrant, he or they ſhall reſpectively forfeit the Sum of Five and twenty Pounds current Money of this Iſland, and an Attachment to iſſue againſt ſuch Perſon or Perſons refuſing to pay the ſame, and when paid, to be applied to the Uſe following, *viz.* Towards building and repairing the Forts and Fortifications of this Iſland; and if the Plaintiff or Plaintiffs ſhall refuſe to nominate Appraiſers, or that the Appraiſers ſo nominated ſhall neglect or refuſe to act, or to chooſe an Umpire, as aforeſaid, that then, and in ſuch Caſe, the Chief Juſtice, or, in his Abſence or Sickneſs, the next ſenior Juſtice, as aforeſaid, is hereby ordered to nominate an Appraiſer or Umpire to value the ſame; and the ſaid Sugar, Cotton, Indigo, Rum, and Molaſſes, when valued and appraiſed, as aforeſaid, ſhall be delivered to the Plaintiff, in Satisfaction of his Debt, Damages, and Coſts.

If the Plaintiff refuſe to nominate Appraiſers, the Juſtice may.

Goods periſhing before Sale, who to make them good.

XVI. AND be it further enacted by the Authority aforeſaid, That if any of the Goods taken in Execution ſhall periſh before the Sale thereof (unleſs it be by Default of the Provoſt-marſhal, or his Deputy, and in which Caſe the Marſhal, or his Deputy, is to make the ſame good) the Loſs thereof ſhall be borne by the Defendant or Owner of the ſaid Goods, and in ſuch Caſe the Provoſt-marſhal, or his Deputy, ſhall and may further take of the Goods and Chattels, Lands and Tenements of the ſaid Defendant ſufficient to anſwer the Debt and Coſts.

Security to anſwer for Defendant's Goods.

XVII. AND be it further enacted by the Authority aforeſaid, That if any Defendant giving Security for the forthcoming of any Goods or Things taken in Execution at the Day of Sale thereof, ſhall conceal the ſame, or ſhall not deliver them to the Provoſt-marſhal, or his Deputy, the ſaid Provoſt-marſhal, or his Deputy, ſhall and may, by Writ from the Chief Juſtice, or, in caſe of his Abſence or Diſability, from the next Juſtice in Commiſſion, ſucceſſively, immediately take and diſpoſe by Sale of the Goods and Chattels, Lands and Tenements of ſuch Defendant's Securities, ſufficient to anſwer the Debt, with all Coſts attending it, and if the Sureties ſhall have no Eſtate whereof to levy the ſaid Debt and Coſts, then

it

it ſhall and may be lawful to and for the ſaid Provoſt-marſhal, or his Deputy, to commit the ſaid Sureties to the common Gaol of the ſaid Iſland, where they are to remain until they ſhall have ſatisfied the ſaid Debt and Coſts. 1729.

Purchaſer's Title made good.

XVIII. And be it further enacted by the Authority aforeſaid, That a Bill of Sale under the Hand and Seal of the Provoſt-marſhal, or his Deputy, of any Goods or Chattels taken in Execution, and which ſhall be ſold or appraiſed, as aforeſaid, and delivered over, ſhall give to the Plaintiff, or other Buyer or Purchaſer, a good, ſure, and indefeazable Right and Title thereunto; and likewiſe, that ſuch a Bill of Sale of or for any Lands, Tenements, or Hereditaments, ſo taken and ſold, ſhall give unto the Plaintiff, or other Buyer, as good ſufficient Eſtate and Title therein and thereunto, as the Defendant from whom they are taken hath, or can or may make of, in, or to the ſame Lands, Tenements, or Hereditaments; and if the Provoſt-marſhal, or his Deputy, ſhall refuſe to execute to any Plaintiff or Purchaſer a ſufficient Bill of Sale of and for the Lands or Things which ſhall be ſo delivered over or bought, he ſhall forfeit the Sum of Fifty Pounds current Money for every Default.

Publication of Sales.

XIX. And be it further enacted by the Authority aforeſaid, That when any Goods or Chattels, Lands or Tenements, ſhall be taken in Execution upon any Judgement obtained in the ſaid Court, the Provoſt-marſhal, or his Deputy, ſhall immediately put up a Publication in the ſaid Town of *Plymouth* for the Sale thereof, at Times and Manner hereafter mentioned; that is to ſay, For Lands, Tenements, and Hereditaments, at the End of Eighty Days; for Negroes, and all other Slaves, at the End of Eight and twenty Days; for Cattle, Chattels, Plantation Implements, and all other Goods whatſoever, at the End of Fourteen Days after the ſame Lands, Tenements, Slaves, Goods, Chattels, and Things ſhall reſpectively be taken in Execution; and that all and every the Expences attending ſuch Sales ſhall be borne by the Defendant, or other Perſons whoſe Goods or Chattels, Lands and Tenements ſhall be ſo taken in Execution.

Limitation of Actions.

XX. And be it enacted by the Authority aforeſaid, That no Execution for Debt or Damages ſhall be awarded between the laſt Day of the Month of *Auguſt* and the firſt Day of the Month of *March* in each reſpective Year: Provided nevertheleſs, That the Writs of Seiſin, or Poſſeſſion of Lands and Tenements, and alſo Writs of Poſſeſſion of Slaves, Cattle, or Chattels, recovered in Actions of Detinue and Replevin, ſhall and may be awarded and executed at all Times in the Year.

Penalty on Officers Neglect of Duty.

XXI. And be it enacted by the Authority aforeſaid, That the Provoſt-marſhal, or his Deputy, and all other Perſons levying Executions, ſhall levy the ſame according to the Directions of this Act, under the Penalty of One hundred Pounds for each Neglect or Default therein, to be recovered by the Party grieved in any Court of Record in this Iſland, by Action of Debt, Bill, Plaint, or Information.

Several Acts made perpetual.

XXII. And be it enacted by the Authority aforeſaid, That all the Statutes of *Jeofails* made within the Kingdom of *England* before the Fourth and Fifth Years of the Reign of her late Majeſty Queen *Anne*, and alſo an Act of Parliament made in the Seventeenth Year of the Reign of King *Charles* the Second, intituled, *An Act for avoiding unneceſſary Suits and Delays*; and likewiſe Two other Acts, the One made in the Twenty ſecond and Twenty third Years of the Reign of the ſaid King *Charles* the Second, intituled, *An Act for the better ſettling of Inteſtates Eſtates*; and the other made in the Firſt Year of the Reign of the late King *James* the Second, whereby the Two laſt mentioned Acts are made perpetual, be adjudged to extend to, and be in force in the ſaid Iſland for ever.

1729.

Actions on Demurrer.

XXIII. And be it enacted by the Authority aforeſaid, That where any Demurrer ſhall be joined and entered in any Action or Suit in the ſaid Court, the Judges ſhall proceed and give Judgement according to the very Right of the Cauſe, and as the Matter in Law ſhall appear unto them, without regarding any Imperfection, Omiſſion, or Defect in any Summons, Return, Plaint, or Declaration, or other Pleading, Proceſs, or Courſe of Proceeding whatſoever (except thoſe only which the Party demurring ſhall ſpecially and particularly ſet down and expreſs, together with his Demurrer, as Cauſes of the ſame) notwithſtanding that ſuch Imperfection, Omiſſion, or Defect might hitherto have been taken as Matter of Subſtance, and not aided by the Statute made in the Twenty ſeventh Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the Furtherance of Juſtice in caſe of Demurrer and Pleadings*, ſo as ſufficient Matter appear in the ſaid Pleadings, upon which the Court may give Judgement according to the very Right of the Cauſe.

Statutes of *Jeofails*.

XXIV. And be it enacted by the Authority aforeſaid, That the ſaid Statutes of *Jeofails* ſhall be extended to Judgements which hereafter ſhall be entered upon Confeſſion, *nihil dicit*, and *non ſum Informatus* in the ſaid Court; and no ſuch Judgement ſhall be reverſed, nor any Judgement upon a Writ of Enquiry of Damages executed, be ſtayed or reverſed by reaſon of Imperfection, Omiſſion, Defect, Matter or Thing whatſoever, which ſhould have been aided and cured by any of the ſaid Statutes of *Jeofails*, in caſe a Verdict of Twelve Men had been given in the ſaid Action or Suit, ſo as there be an original Summons, Declaration, or Demand, as aforeſaid.

Proviſo.

XXV. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act before contained, ſhall extend to any Writ, Summons, Declaration, Indictment, or Suit of Appeal of Felony or Murder, or to any Proceſs upon any of them, or to any Writ, Summons, Bill, Action, or Information upon any Penal Statute.

Defendant's Privilege.

XXVI. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Defendant or Tenant in any Action or Suit, or for any Plaintiff in Replevin, with the Leave of the Court, to plead as many ſeveral Matters thereto as he ſhall think neceſſary for his Defence, provided all ſuch Matters be entered in one Plea; and alſo that where any Matter upon Demurrer joined ſhall be adjudged inſufficient, or where any Defendant or Tenant ſhall be acquitted by Verdict, or otherwiſe, Coſts ſhall be given in both Caſes at the Diſcretion of the Court.

Provoſt-marſhal to ſign over the Bail-bond to the Plaintiff.

XXVII. And be it enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall be arreſted by Writ or Proceſs iſſuing out of the Court at the Suit of any common Perſon, and the Provoſt-marſhal, or other legal Officer, ſhall take Bail from ſuch Perſon againſt whom ſuch Writ, Bill, or Proceſs ſhall be iſſued, the Provoſt-marſhal, or ſuch other Officer, at the Requeſt and Coſts of the Plaintiff in ſuch Action or Suit, or of his lawful Attorney, ſhall aſſign to the Plaintiff in ſuch Action or Suit ſuch Bail-bond, or other Security, by indorſing and atteſting the ſame under his Hand and Seal, in the Preſence of One or more credible Perſons; and if the ſaid Bail-bond, or other Security taken for Bail, be forfeited, the Plaintiff in ſuch Suit, after ſuch Aſſignment made, may bring an Action or Suit thereupon in his own Name in the ſaid Court, and the Court may by a Rule give ſuch Relief thereon as is agreeable to Reaſon and Juſtice, and ſuch Rule of the ſaid Court ſhall have the Nature and Effect of a Defeaſance to ſuch Bail-bond or Security.

XXVIII. And be it enacted by the Authority aforeſaid, The Captain-general, or Governor in Chief, with Four or one more of the Council, and in the Abſence of the Captain-general, or Governor in Chief, the

Lieutenant-general, the Lieutenant-governor, or Preſident of the Council, with the like Number of the Council, ſhall and may hear, try, and determine all Errors to be brought of any Judgements to be given in this Court for any Sum, Matter, Cauſe, or Thing; and that in the Abſence of the Captain-general, or Governor in Chief from this Iſland, the Lieutenant-general, the Lieutenant-governor, or, in his Abſence, the Preſident of the Council, may ſign all Writs of Error, and other Proceſs thereupon; and that the not meeting of the Captain-general, or Governor in Chief, Lieutenant-governor, or Preſident, and Four of the Council aforeſaid, at the Day of the Return of the Writ of Error, or Writ of *Scire facias*, to hear Errors, ſhall not diſcontinue the ſame; and that no Judgement ſhall be given in the ſaid Court of Errors, unleſs by the Captain-general, or Governor in Chief, or Lieutenant-governor, or Preſident, and Four of the Council at the leaſt, whereof none of the Judges of the ſaid Court of King's-bench and Common-pleas ſhall be one; and that before any Argument ſhall be heard by them, they ſhall take the following Oath, *viz.* 1729. Court of Errors.

I A. B. *do ſwear upon the holy Evangeliſts, That in all Errors to be now brought before me, I will not deny nor delay Juſtice to either Party, but will to the beſt of my Skill and Knowledge give Judgement thereupon.* Oath taken by the Court of Errors.

So help me God.

And that no Execution of any Judgement given in the Court of King's-bench and Common-pleas in any Action Perſonal, ſhall be ſtayed by any Writ of Error, or *Superſedeas* thereupon, unleſs ſuch Perſon or Perſons in whoſe Name or Names ſuch Writ of Error ſhall be brought, by Two ſufficient Sureties, ſuch as the ſaid Court, or out of Court as the ſaid Chief Juſtice, or, in his Abſence, the next ſenior Juſtice, one after another, as they are named in the Commiſſion, ſhall allow of, ſhall, before ſuch Stay made, or *Superſedeas* awarded, be bound unto the Party for whom any ſuch Judgement ſhall be given, by Recognizance, to be acknowledged in double the Sum adjudged to be recovered by the ſaid former Judgement, to proſecute the ſaid Writ of Error with Effect, and alſo to ſatisfy and pay, if the ſame Judgement be affirmed, all and ſingular the Debt, Damage, and Coſts adjudged upon the former Judgement, and all Coſts and Damages to be alſo awarded for the ſame delaying of Execution; and further, that in Writs of Error to be brought upon any Judgement in any Writ of Dower, or in any Action of *Ejectione firmæ*, no Execution ſhall be thereupon or thereby ſtayed, unleſs the Plaintiff or Plaintiffs in ſuch Writs of Error ſhall be bound unto the Demandant in ſuch Writ of Dower, or Plaintiff in ſuch Action of *Ejectione firmæ*, in ſuch reaſonable Sum as the Court ſhall think fit; with Condition, That if the Judgement ſhall be affirmed in the ſaid Writ of Error, or that the ſaid Writ of Error ſhall be diſcontinued by the Default of the Plaintiff or Plaintiffs therein, or that the ſaid Plaintiff or Plaintiffs be nonſuited in ſuch Writ of Error, that then the Plaintiff or Plaintiffs ſhall pay ſuch Coſts and Damages, Sum and Sums of Money as ſhall be awarded upon or after ſuch Judgement is affirmed, or Diſcontinuance or Nonſuit had. Security to proſecute Writs of Error with Effect.

XXIX. And to the End that the Sum and Sums, and Damages, may be aſcertained, be it, and it is hereby enacted by the Authority aforeſaid, That the Court wherein ſuch Execution ought to be granted upon ſuch Affirmation, Diſcontinuance, or Nonſuit, ſhall iſſue a Writ to enquire as well of the meſne Profits, as of the Damage by any Waſte committed after Enquiry of Damage.

1729.

after the firſt Judgement in Dower, or *Ejectione firmæ*, and upon the Return thereof Judgement ſhall be given and Execution awarded for ſuch meſne Profits and Damages, and alſo Coſts of Suit: Provided, That this Act, nor any thing herein contained, ſhall not extend to any Writ of Error to be brought by any Executor or Adminiſtrator, or to any Action Popular, or to any Action which is or ſhall be brought upon any Penal Law or Statute, nor to any Indictment, Preſentment, Inquiſition, or Information in this Court.

Proviſo.

On quaſhing Writs of Error, Plaintiff to pay Coſts.

XXX. AND for preventing great Vexations ariſing from the ſuing forth defective Writs of Error, be it, and it is hereby enacted by the Authority aforeſaid, That upon the quaſhing of any Writ of Error for Variance from the Record, or other Defect, or if the Plaintiff ſhall be nonſuited, or diſcontinue his Writ, the Defendant in ſuch Writ of Error ſhall recover againſt the Plaintiff ſuing out ſuch Writ his Coſts, as he ſhould have done if the Judgement had been affirmed, to be recovered in the ſame Manner, but the Plaintiff in ſuch Writ is not barred from having a new Writ of Error; and in caſe either Party ſhall not reſt ſatisfied with the Judgement that ſhall be given upon a Writ of Error, he may appeal to His Majeſty, His Heirs, or Succeſſors, in His or their Privy Council, if the Matter in Diſpute ſhall amount to the Sum of Three hundred Pounds Sterling Money of *Great Britain*, the Party appealing giving Security, as aforeſaid; but no Executor, Adminiſtrator, or Guardian ſhall be obliged to give Security on a Writ of Error, unleſs where required by the Laws of *England*, nor upon any Appeal, unleſs on an Appeal to His Majeſty in Council.

Appeal.

How to proceed on Writs of Error.

XXXI. AND be it enacted by the Authority aforeſaid, That all Writs of Error ſhall be ſerved on the Chief Juſtice, and in caſe of his Death, Abſence, or Diſability, on the next ſenior Juſtice, and ſo to the next, as they are named in Commiſſion, as aforeſaid, who is required forthwith to cauſe a Tranſcript of the Record and Pleading to be made out, and the ſame to certify under his Hand and Seal Eight Days after he is ſerved with the Writ of Error; and when the Records and Proceedings are ſo certified, the Plaintiff is to aſſign Errors under his Counſel or Attorney's Hand, and to file the ſame Eight Days after the Writ and Proceedings are returned and certified, and then give Notice thereof to the other Party, his Counſel, or Attorney, and the Defendant in Error ſhall plead, demurr, or join in Errors within Eight Days after Notice, or loſe the Advantage of his Defence.

Title to Negroes how to be tried.

How Executions ſhall be iſſued.

XXXII. AND be it enacted by the Authority aforeſaid, That no Replevin ſhall hereafter iſſue to take or try the Title of Negroes or Slaves, but the ſame ſhall be tried by Trover or Detinue; and alſo, that Executions to be awarded on Judgements already given in the Court of King's-bench and Common-pleas which was held by any former Law or Uſage, ſhall or may iſſue according to the Form herein preſcribed; and all Sales or Appraiſements to be made of any Goods, Chattels, Lands, Tenements, or Hereditaments to be taken in Execution upon ſuch Judgements, ſhall be in Manner as before in this Act is directed, by which Method the Provoſt-marſhal, and all other Perſons, are to be governed.

Writs of *Scire facias*, when to be ſerved.

XXXIII. AND be it enacted by the Authority aforeſaid, That all Writs of *Scire facias* to revive Judgements to be given in the ſaid Court, or which were given in any former Court, ſhall be ſerved Six Days before the Court Day on which the ſame ſhall be returnable, and the Service thereof to be in ſuch Manner as Writs of Summons are to be ſerved; and if the Defendant plead not thereto at the ſame Court, the Judgement ſhall ſtand, and be revived.

XXXIV. AND

1729.

XXXIV. AND be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall be taken to affect the proper Goods and Chattels, Negroes, Lands or Tenements, or the Perſons of Executors or Adminiſtrators, otherwiſe or in any other Manner than as the Goods, Lands, and Perſons of Executors or Adminiſtrators are made chargeable or liable in the Kingdom of *Great Britain* by the Laws and Uſage thereof.

Executors, &c. how chargeable.

XXXV. AND be it enacted by the Authority aforeſaid, That no publick Alarm or Invaſion ſhall cauſe any Diſcontinuance or Abatement of any Suit or Proceſs, depending or to be depending in the ſaid Court.

Alarms, &c. not to hinder Law-ſuits.

XXXVI. AND be it enacted by the Authority aforeſaid, That the ſeveral Fees expreſſed in a Docket of Fees ſettled by his Excellency, by and with the Advice and Conſent of the Council of this Iſland, ſhall be the Fees the reſpective Officers therein mentioned ſhall take, and no other; and whatſoever Officer therein mentioned ſhall preſume to take any other Fees for Buſineſs therein ſpecified, ſhall, being legally convicted thereof, be fined for every ſuch Offence the Sum of Ten Pounds, with full Coſts of Suit to be allowed the Perſon who ſhall proſecute for the ſame, to be recovered in any of the Courts of Record in this Iſland, by Bill, Plaint, or Information.

Fees ſettled.

XXXVII. AND be it alſo further enacted by the Authority aforeſaid, That the reſpective Officers mentioned in the ſaid Docket ſhall be obliged to hang up in their Offices a Table of their ſaid Fees, for publick View; and every Officer who ſhall not hang up, as aforeſaid, a Table of the Fees appointed for him to take, after Twenty four Hours Notice given him of his Neglect therein by any Perſon, and he refuſing or neglecting to hang up the ſaid Table of Fees, as aforeſaid, ſhall for every ſuch Offence, being thereof legally convicted, be fined the Sum of One hundred Pounds.

Officers to hang up a Table of Fees.

Penalty.

XXXVIII. AND be it enacted by the Authority aforeſaid, That all Cauſes, Actions, and Suits, now depending in the Court of King's-bench and Common-pleas of the ſaid Iſland, ſhall continue in the State they now are, until the Court be held in the Month of *May* next, and then the Cauſes, Actions, and Suits ſhall be tried and determined according to the Tenor and Direction of this Act; any thing herein before contained to the contrary in any wiſe notwithſtanding.

Suits depending, when to be determined.

An Act of Settlement and Limitations, for avoiding Suits at Law. N° 90.

FORASMUCH as the Inhabitants of this Iſland, amidſt ſeveral Calamities occaſioned by the Invaſion of the *French*, under the Command of Monſieur *Caſſart*, in the Year One thouſand ſeven hundred and twelve, were great Sufferers, by loſing moſt of their Patents, Deeds, and other Evidences relating to the Titles of their Lands, Negroes, *&c.* as alſo by having their publick Records deſtroyed, by which Means ſeveral of them have been rendered incapable of proving their Titles at Law otherwiſe than by Length of Poſſeſſion; and as nothing can tend more to the Benefit of any Place or Society than the quieting Men in their

1729. Eſtates and Poſſeſſions, and to avoid (as far as may be) Controverſies and Suits at Law; we therefore, the Council and Aſſembly of this Your Majeſty's Iſland of *Montſerrat*, by and with the Advice and Conſent of the Captain-general, and Commander in Chief in and over all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, do pray Your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted

Time for ſuing out Writs. by the Authority of the ſame, That within Six Months after the Publication of this preſent Act, all Writs of *Formedon* in Deſcender, *Formedon* in Remainder, and *Formedon* in Reverter, at any Time hereafter to be ſued or brought, of or for any Lands, Tenements, or Hereditaments, whereunto any Perſon or Perſons now hath, or at any Time hereafter may have any Title or Cauſe to have or purſue ſuch Writ, the ſame ſhall be ſued and taken out within Seven Years next after the Publication of this Act.

Proviſo. II. PROVIDED ſuch Perſon or Perſons ſo claiming, as aforeſaid, be living within this Government; and that no Perſon or Perſons, or any of their Heirs (after the Expiration of the ſaid Seven Years) ſhall have or maintain any ſuch Writ (as aforeſaid) of or for any of the ſaid Lands, Tenements, or Hereditaments; and that all Writs of *Formedon* in Deſcender, *Formedon* in Remainder or Reverter, of any Lands, Tenements, or Hereditaments whatſoever, at any Time hereafter to be ſued or brought by Occaſion or Means of any Title or Cauſe hereafter happening, ſhall be ſued and taken within Seven Years after the Cauſe of Action firſt deſcended and fallen, and at no Time after; and that no Perſon or Perſons that now hath or have any Right or Title of Entry into any Lands, Tenements, or Hereditaments now held from him or them, ſhall thereunto enter but within Seven Years next after Publication of this Act, or within Seven Years next after any other Title of Entry accrued; and that no Perſon or Perſons ſhall at any Time hereafter make any Entry into any Lands, Tenements, or Hereditaments but within Seven Years next after his or their Right or Title which ſhall hereafter firſt deſcend or accrue to the ſame, and in Default thereof, ſuch Perſons ſo not entering, and their Heirs, ſhall be utterly excluded and diſabled from ſuch Entry after to be made; any Law or Statute to the contrary notwithſtanding.

Proviſo. III. PROVIDED nevertheleſs, That if any Perſon or Perſons that is or ſhall be intitled to any ſuch Writ or Writs, or that hath or ſhall have any ſuch Right or Title of Entry, be, or ſhall be at the Time of the ſaid Right or Title firſt deſcended, accrued, come, or fallen, within the Age of Twenty one Years, Femes-covert, *non Compos mentis*, impriſoned, or from the Government, that then ſuch Perſon or Perſons, and his and their Heir and Heirs, ſhall and may, notwithſtanding the ſaid Seven Years be expired, bring his Action, or make his Entry, as he might have done before this Act, ſo as ſuch Perſon and Perſons, or his and their Heir and Heirs, ſhall, within Seven Years next after their full Age, Diſcoverture, coming of ſound Mind, Enlargement out of Priſon, or coming into this Government, or Death, take Benefit of, and ſue for the ſame, and at no time after the ſaid Seven Years.

Limitation of Actions. IV. AND be it further enacted, That all Actions of Treſpaſs (*Quare clauſum fregit*) all Actions of Treſpaſs, Detinue, Actions of Trover and Replevin, for taking away of Goods and Chattels, all Actions of Account, and upon the Caſe, other than ſuch Accounts as concern the Trade and Merchandize between Merchant and Merchant, their Factor or Servants, all Actions of Debt grounded upon any Lending or Contract without Specialty, all Actions of Debt for Arrearages of Rent, and all Actions of Aſſault, Menace, Battery, Wounding, and Impriſonment, or any of them, which ſhall be ſued or brought to any Time after Publication of this Act,

Act, ſhall be commenced and ſued within the Time and Limitations hereafter expreſſed, and not after; that is to ſay, The ſaid Actions upon the Caſe (other than for Slander) and the ſaid Actions for Account, and the ſaid Actions for Treſpaſſes, Detinue, and Replevin, for Goods and Chattels, and the ſaid Action of Treſpaſs (*Quare clauſum fregit*) within Three Years next after Publication of this Act, or within Four Years next after the Cauſe of ſuch Actions or Suits, and not after; and the ſaid Actions of Treſpaſs, of Aſſault, Battery, Wounding, Impriſonment, or any of them, within Two Years next after the Publication of this Act, or within Three Years next after the Cauſe of ſuch Actions or Suits, and not after; and the ſaid Action upon the Caſe, for Words, within one Year after Publication of this Act, or within Two Years next after the ſaid Words ſpoken, and not after. 1729.

V. AND nevertheleſs be it enacted, That if in any of the ſaid Actions or Suits Judgement be given for the Plaintiff, and the ſame be reverſed by Error, or a Verdict paſs for the Plaintiff, and upon Matter alledged in Arreſt of Judgement, the Judgement be given againſt the Plaintiff, that he take nothing by his Plaint, Writ, or Bill, or if any of the ſaid Actions ſhall be brought by Original, and the Defendant therein be outlawed, and ſhall after reverſe the Outlawry, that in all ſuch Caſes the Party-plaintiff, his Heirs, Executors, or Adminiſtrators, as the Caſe ſhall require, may commence a new Action or Suit from time to time, within a Year after ſuch Judgement reverſed, or ſuch Judgement given againſt the Plaintiff, or Outlawry reverſed, and not after. Concerning Writs of Error.

VI. AND be it further enacted, That in all Actions of Treſpaſs (*Quare clauſum fregit*) hereafter to be brought, wherein the Defendant or Defendants ſhall diſclaim in his or their Plea to make any Title or Claim to the Land in which the Treſpaſs is by the Declaration ſuppoſed to be done, and the Treſpaſs be by Negligence, or involuntary, the Defendant or Defendants ſhall be admitted to plead a Diſclaimer, and that the Treſpaſs was by Negligence, or involuntary, and a Tender or Offer of ſufficient Amends for ſuch Treſpaſs before the Action brought, whereupon, or upon ſome of them, the Plaintiff or Plaintiffs ſhall be enforced to join Iſſue, and if the ſaid Iſſue be found for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall be nonſuited, the Plaintiff or Plaintiffs ſhall be clearly barred from the ſaid Action or Actions, and all other Suits concerning the ſame. Wherein Defendant may plead a Diſclaimer.

VII. AND be it further enacted by the Authority aforeſaid, That in all Actions upon the Caſe for Slanderous Words, to be ſued or proſecuted by any Perſon or Perſons in any of the Courts of Record within this Iſland that have Power to hold Plea of the ſame, at any Time after the Publication of this Act, if the Jury upon the Trial of the Iſſue in ſuch Action, or the Jury that ſhall enquire of the Damages, do find or aſſeſs the Damages under Forty Shillings, then the Plaintiff or Plaintiffs in ſuch Action ſhall have and recover only ſo much Coſts as the Damages ſo given or aſſeſſed ſhall amount unto, without any further Increaſe of the ſame; any Law, Statute, Cuſtom, or Uſage to the contrary notwithſtanding. Of Damages under 40 s.

VIII. PROVIDED nevertheleſs, and be it further enacted, That if any Perſon or Perſons that is or ſhall be intitled to any ſuch Action of Treſpaſs, Detinue, Action of Trover, Replevin, Actions of Account, Actions of Debt, Actions of Treſpaſs, for Aſſault, Menace, Battery, Wounding, or Impriſonment, Actions upon the Caſe, for Words, be, or ſhall be at the Time of ſuch Cauſe of Action given or approved, fallen or come within the Age of Twenty one Years, Feme-covert (*non Compos mentis*) impriſoned, or out of this Government, that then ſuch Perſon or Perſons ſhall When to bring Actions, after Incapacities removed.

1729. be at Liberty to bring the ſame Actions, ſo as they ſhall take the ſame within ſuch Times as are before limited, after their coming to, or being of full Age, Diſcovert, of ſound Memory, at large, and return unto this Government, as other Perſons having no ſuch Impediments ſhould do.

N° 91. ## *An Act for the Encouragement of Artificers and Labourers to recover Debts not exceeding Six Pounds.*

WHEREAS many Inconveniencies may and do ariſe to Artificers and Labourers of this Iſland, by being vexed and troubled with Suits of Law for a ſmall and trivial Sum, not exceeding Six Pounds, wherein the uſual and accuſtomary Fees and Charges exceed the Debts: And whereas Courts for deciding Suits at Law are held but Six ſucceſſive Months in the Year, and thereby the ſaid Artificers and Labourers may be kept out of their Money a conſiderable Time: For Prevention whereof, and their Encouragement for them to ſettle amongſt us, be it, and it is hereby enacted and ordained by his Excellency *Thomas* Earl of *Londonderry*, Chief Governor of the *Leeward Charibbee* Iſlands, by and with the Advice and Conſent of the Council and Aſſembly of this Iſland, and by the Authority of the ſame, That all Manner of Debts which may be due to Artificers and Labourers from the Date of this Act, not exceeding the Value of Six Pounds, may be heard, judged, and determined by one of His Majeſty's Juſtices of the Peace of this Iſland, which ſaid Juſtice is hereby required, upon Complaint made to him, to iſſue out a Warrant againſt the Perſon or Perſons complained of, directed to the Provoſt-marſhal, or his lawful Deputy, and thereby requiring him to appear and anſwer the ſaid Complaint, and in caſe of Non-appearance, or otherwiſe, Judgement to be granted, the Plaintiff proving his Debt by his own Oath, or other Evidence, and upon Non-payment, Execution to iſſue againſt the Goods and Chattels, Lands and Tenements of the ſaid Perſon or Perſons complained of, who, by virtue thereof, ſhall expoſe the ſame to publick Sale, returning the Overplus, if any be, to the Defendant, or for want of ſuch Diſtreſs, ſhall take the Defendant's Body into Cuſtody, and convey him to the common Gaol of this Iſland, there to remain until he hath ſatisfied the Debt, with Charges; and it ſhall be lawful for the Juſtice of the Peace to receive for each Warrant or Execution One Shilling and Six Pence, each, and no more; and for the Provoſt-marſhal, or his lawful Deputy, for ſerving each Warrant Nine Pence, together with Three Pence for each Mile he ſhall be compelled to travel in Execution of the Premiſſes, and for levying Execution on his Body, Goods or Chattels, Lands or Tenements, Eighteen Pence; and the ſeveral Juſtices are hereby required to keep a Record of all ſuch Proceedings, under the Penalty of Five Pounds, the one Half to be paid to the Informer, and the other Half to the Treaſurer for the time being, for the Uſe of the Poor of the ſaid Pariſh.

Debts under 6*l.* may be determined by a Juſtice.

Diſtreſs and Sale.

Fees for the Warrant, and ſerving.

Juſtice to keep a Record,

II. AND be it enacted by the Authority aforeſaid, That every Juſtice of the Peace within this Iſland ſhall, once every Year at leaſt, make Returns of ſuch Records into the Secretary's Office, under the Penalty alſo of Five Pounds for every ſuch Neglect, to be paid as aforeſaid; which ſaid Fine or Fines ſhall be recovered by Bill, Plaint, or Information in any Court of Record in this Iſland.

to be returned yearly to the Secretary's Office.

An

1729.

An Act to repeal an Act, intituled, An Act impowering Juſtices of the Peace to decide Differences not exceeding Six Pounds. N° 92.

WHEREAS by an Act, intituled, *An Act impowering Juſtices of the Peace to decide Differences not exceeding Six Pounds*, whereby any Juſtice of the Peace of this Iſland is impowered to hear, adjudge, and determine any Treſpaſs or Matter not exceeding the Value of Six Pounds, and that without any Appeal, in caſe the Treſpaſs or Matter be under Three Pounds, as, relation to the ſaid Act being had, may more fully and largely appear: And whereas the ſaid Act is found by Experience very prejudicial and vexatious to the Inhabitants of this Iſland, and chiefly to the poorer Sort thereof: We therefore, His Majeſty's moſt dutiful and loyal Subjects, the Governor in Chief of all His Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of *Montſerrat*, do moſt humbly pray His Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the Authority aforeſaid, That the aforeſaid Act, bearing Date the Thirteenth Day of *June*, and in the Year One thouſand ſeven hundred and two, intituled, *An Act impowering Juſtices of the Peace to decide Differences not exceeding Six Pounds*, and all and every the Clauſes thereof be, and it is, and they are hereby repealed and made void to all Intents and Purpoſes whatſoever. Act N° 47. repealed.

II. PROVIDED nevertheleſs, That any thing contained in this Act ſhall not be in force until it ſhall be confirmed by His Moſt Sacred Majeſty; any thing in this Act to the contrary notwithſtanding. Proviſo.

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing of the Houſes in the Town of Plymouth. N° 93. Expired.

An Act for naturalizing John Lindeſay, John Lindeſay *junior, and* Joſeph Lindeſay, Dutch *Proteſtants*. 1730. N° 94. Private.

1732.
№ 95.
Private.

An Act for naturalizing William Veſſunp, Maria Veſſunp, Maria Veſſunp *junior*, Anna Veſſunp, Elizabeth Veſſunp, John Veſſunp, Baltazar Veſſunp, Hans Peter Dorns, *and* Cornelius Duurloo, Dutch *Proteſtants*.

1732-3.
№ 96.
Expired.

An Act for conſtituting a Court Merchant.

1733.
№ 97.

An Act for ſelling Flour, Biſcuit, Corn, and Oates by Weight.

WHEREAS the Inhabitants of this Iſland ſuffer great Impoſitions daily, by Traders ſelling Flour, Biſcuit, Corn, and Oates by the Barrel or Meaſure; to prevent like Evils for the future, we Your Majeſty's moſt loyal and obedient Subjects, the Governor in Chief in and over all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of Your Majeſty's Iſland of *Montſerrat*, humbly pray Your Moſt Sacred Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted by the Authority aforeſaid, That all Flour, Biſcuit, Corn, and Oates whatſoever, which ſhall be ſold within this Iſland after the Publication of this Act, ſhall be ſold in Manner following, and no otherwiſe; that is to ſay, Flour and Biſcuit, by the hundred Pounds weight; *Indian* or great Corn off the Huſk, at Fifty ſix Pounds weight to the Buſhel, and upon the Huſk, at Eighty four Pounds to the Buſhel; and Oates at Thirty ſix Pounds by the Buſhel; and if any Perſon whatſoever ſhall buy or ſell otherwiſe than as aforeſaid, the Buyer and Seller ſhall each forfeit Five Pounds for every Caſk of Flour or Biſcuit, and every Buſhel of Corn or Oates ſo ſold, to be recovered by Information or Complaint before any Juſtice of the Peace within this Iſland, and to be levied on the Goods and Chattels of the Offender, by Warrant of a Juſtice of Peace to any Conſtable of this Iſland, or by impriſoning the Body of the Offender in the common Gaol of this Iſland until Payment made, at the Diſcretion of the Juſtice of Peace hearing the Complaint, by virtue of ſuch Warrant, as aforeſaid; which ſaid Forfeitures ſhall be the one Moiety to the Informer, and the other Moiety to the Poor of the Pariſh where the Offence was committed; and the Conſtable levying the aforeſaid Penalty ſhall be allowed Ten Pounds *per Cent.* and the Goods levied on ſhall be ſold immediately by publick Outcry, by the Conſtable who levies on the ſame, the Sale being firſt publickly notified in

Directions for ſelling of Flour, &c.

Penalty.

in the Town where, or next to the Place where the Offence was committed, by the Conſtable, and the Overplus, if any, ſhall be returned to the Offender. 1733.

II. AND be it alſo enacted, That a Copy of this Act ſhall be fixed up in each Pariſh of this Iſland, within Four Days after the Publication. Copies to be fixed in publick Places.

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of Plymouth.

№ 98. Expired.

An Act to explain a Clauſe in an Act, intituled, An Act for holding a Court of General Seſſions.

№ 99.

WHEREAS by an Act made and paſſed the Twentieth Day of *January*, One thouſand ſeven hundred and twenty four, for holding a Court of General Seſſions, it is (amongſt other Things) enacted, "That from and after the Publication of the ſaid Act, once in every "Year, on the firſt *Tueſday* in *October*, ſhould be holden in the Town of "*Plymouth* a Court of Grand Seſſions of *Oyer* and *Terminer*, General Gaol "Delivery, and General Seſſions of the Peace, by ſuch Perſons as are "thereby nominated and appointed; that is to ſay, The Lieutenant-governor for the time being, the Preſident of the Council, and all other "Members of the Council for the time being, His Majeſty's Chief Juſtice, and Juſtices Aſſiſtants for the time being, and all other His Majeſty's Juſtices of the Peace for this Iſland for the time being, in which "Seſſions the firſt nominated by the ſaid Act, being on the Iſland, ſhall "preſide, whereof the Lieutenant-governor, or Preſident of the Council "for the time being, and any Five of His Majeſty's Council, or the "Chief Juſtice, or Juſtices Aſſiſtants for the time being, to be of the "*Quorum*:" Now we pray Your Moſt Excellent Majeſty, that it may be enacted and ordained, and it is hereby enacted and ordained by the Honourable *Michael Smith* Eſquire, Commander in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands, the Council and Aſſembly of *Montſerrat*, That the true Intent and Meaning of the aforeſaid Clauſe in the ſaid Act is, that the Lieutenant-governor for the time being, ſhall at all Times preſide in the ſaid Court, and in his Abſence, the Preſident of His Majeſty's Council for the time being ſhall preſide, and in the Abſence of the Preſident, the eldeſt Counſeller preſent ſhall preſide; and that any Five or more of the ſaid Council, or Juſtices of the King's-bench and Common-pleas, or Juſtices of the Peace, ſhall have Power and Authority to hold the ſaid Court of Grand Seſſions, *Oyer* and *Terminer*, and Gene-

Clauſe in the former Act.

Explanation of the foregoing Clauſe.

1733. ral Gaol Delivery, and Seſſions of the Peace; and in caſe of the Abſence of the Lieutenant-governor, the Preſident, and all the Members of His Majeſty's Council, that then the Chief Juſtice for the time being ſhall preſide; and that any Five or more of the ſaid Juſtices, with the ſaid Chief Juſtice, or, in his Abſence, the elder Aſſiſtant, ſhall have Power and Authority to hold the ſaid Court, and not otherwiſe; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

N° 100. *An Act to amend a Clauſe in an Act, intituled,* An Act for eſtabliſhing of a Court of King's-bench and Common-pleas, and a Court of Errors, and for the more ſpeedy Execution of Juſtice; and for collecting certain Fines and Penalties on the Officers taking other Fees than allowed in a Docket ſettled by his Excellency, by the Advice of the Council.

WHEREAS Gold, Silver, and all other Coins are very ſcarce and difficult to be procured in this Iſland of *Montſerrat*, inſtead whereof it is enacted and ordained, "That Sugar, Rum, Cotton, Indigo, and "Molaſſes ſhall be taken and received, in full Payment or Satisfaction "of and for any Debt, Due, or Demand whatſoever:" And whereas ſuch Perſon or Perſons as is or are or may be minded to buy or purchaſe any Goods or Chattels, Lands, Tenements, or Hereditaments, which are to be ſold by the Marſhal at publick Outcry, by virtue of any Execution, cannot purchaſe or buy the ſame, becauſe they have not, and cannot, without the greateſt Inconvenience have, ſuch Sugar, Rum, Cotton, Indigo, and Molaſſes ready upon the Spot to pay the ſaid Marſhal immediately for ſuch Goods, Chattels, Lands, Tenements, or Hereditaments ſo to be ſold; to prevent which Inconvenience, we, Your Majeſty's moſt dutiful and loyal Subjects, the Commander in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands, the Council and Aſſembly of the Iſland of *Montſerrat*, do pray Your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the Authority aforeſaid, That when the Marſhal, or other Officers, or Miniſter of Juſtice ſhall, by virtue of any Execution or Proceſs of Law, ſell any Goods or Chattels, Lands, Tenements, or Hereditaments, the Buyer or Purchaſer of ſuch Goods or Chattels, Lands, Tenements, or Hereditaments ſo ſold, ſhall, by the Conſent of the Owner or Owners, Proprietor or Proprietors of ſuch Goods or Chattels, Lands, Tenements, or Hereditaments, or of his or their Agent or Agents, Attorney or Attornies, being firſt thereunto had and obtained under his, their, or any of their Hands, have Six Days Time after ſuch Sale or Purchaſe to pay his Purchaſe-money, or to pay ſuch Sugar, Rum, Cotton, Indigo, and Molaſſes, as will amount to the ſaid Purchaſe-money; and where the ſaid Purchaſe-money ſhall amount to One hundred Pounds, the ſaid Buyer or Purchaſer ſhall have Ten Days Time; and where it amounts to above Four hundred Pounds, he ſhall have Twenty Days Time to pay the ſaid Purchaſe-money; and in caſe

Times fixed for paying the Purchaſe of Goods taken in Execution.

caſe the ſaid Purchaſer or Buyer ſhall not pay the ſaid Purchaſe-money in the Time and Times hereby appointed, he ſhall pay at the Rate of Ten *per Cent.* Damages, for the Uſe of the Plaintiff, or of ſuch other Perſon or Perſons for whoſe Benefit the Sale is made; which ſaid Ten *per Cent.* Damages, as alſo the original Debt becoming due from ſuch Buyer or Purchaſer for or from ſuch Sale, ſhall be immediately levied upon by the ſaid Marſhal, or other Officer or Miniſter of Juſtice; and in caſe the ſaid Buyer or Purchaſer ſhould be inſolvent, the Loſs ſhall be the Defendant's, or the Owner or Owners of ſuch Goods and Chattels; but it is hereby provided, That if the Plaintiff, or other Perſon or Perſons for whoſe Benefit the ſaid Goods and Chattels, Lands, Tenements, or Hereditaments are ſo ſold, ſhould be fearful of being a Loſer or Sufferer by the ſaid Buyers or Purchaſers having the ſaid Goods or Chattels, Lands, Tenements, or Hereditaments ſo ſold in his or their Poſſeſſion, and by the ſaid Buyers or Purchaſers being unable to pay the ſaid Purchaſe-money, as alſo to pay for the ſaid Ten *per Cent.* Damages added to the ſaid Purchaſe-money, upon Failure of paying the ſaid Purchaſe-money in the Time appointed; that in ſuch Caſe the Plaintiff, or other Perſon or Perſons for whoſe Benefit ſuch Sale is made, ſhall order the Marſhal not to deliver Poſſeſſion of the ſaid Goods and Chattels, Lands, Tenements, or Hereditaments, or Livery and Seiſin of ſuch Lands, Tenements, or Hereditaments, but to keep the ſame until the Purchaſe-money be paid, and alſo the ſaid Damages of Ten *per Cent.* where ſuch Damages become due, and likewiſe to take a Bond of the ſaid Buyer, with Two ſufficient Sureties, in double the Sum of the ſaid Purchaſe-money, and the ſaid Ten *per Cent.* Damages added thereto, upon Condition to pay the ſaid Purchaſe-money at the Time appointed, otherwiſe to incur the Loſs of Ten *per Cent.* Damages, to be immediately levied on his the ſaid Purchaſer's Goods and Chattels, Lands, Tenements, and Hereditaments, and thoſe of his Sureties, in caſe of his the ſaid Principal's failing ſo to do; and where the ſaid Defendant, or Owner or Proprietor of ſuch Goods and Chattels, Lands, Tenements, and Hereditaments, ſo to be, or ſo ſold, ſhall and will not conſent to the Purchaſer's having ſuch Time of Credit, then the ſaid Goods and Chattels, Lands, Tenements, and Hereditaments ſhall be ſold to the higheſt Bidder that will pay ready Money, Sugar, Rum, Cotton, Indigo, and Molaſſes; and where the Plaintiff, or the Perſon or Perſons for whoſe Benefit ſuch Goods and Chattels, Lands, Tenements, and Hereditaments are ſo ſold, requires Security, as before, for the Buyer's or Purchaſer's paying the ſaid Purchaſe-money, and upon Failure of paying thereof, for the Ten *per Cent.* Damages, and that the Buyer or Purchaſer cannot or will not give ſuch Security, then the ſaid Goods and Chattels, Lands, Tenements, and Hereditaments ſhall be ſold to the higheſt Bidder, who will pay immediately upon the Spot.

1733.

Penalty on delaying Payment of the Purchaſe-money.

Marſhal to keep Poſſeſſion of Goods till the Purchaſe-money is paid.

Sureties for Payment.

Defendant's Power.

An Act for the more ſpeedy building of a Church in the Pariſh of St. Anthony, *in the Iſland aforeſaid.*

№ 101. Private.

1734.

№ 102.

An Act for providing an honourable Support for his Excellency William Mathew *Eſquire, Chief Governor of theſe Iſlands, during his Government; and for continuing the Duties on Liquors and Licences.*

WHEREAS Your Majeſty has been pleaſed, by Your Royal Inſtruction, to permit Your Chief Governor of theſe Iſlands to accept of ſuch Sum or Sums of Money, in Addition to his Salary, as the reſpective Councils and Aſſemblies of theſe Your Majeſty's *Leeward Charibbee* Iſlands ſhould think fit to ſettle on him, for the more honourable Support of himſelf, and the Dignity of this Your Majeſty's Government: And whereas his Excellency *William Mathew* Eſquire, having communicated to the Council and Aſſembly of this Your Majeſty's Iſland of *Montſerrat* the ſaid Intention, we, Your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of the Iſland of *Montſerrat*, out of a juſt Regard and Reſpect to his Excellency, for his former prudent and mild Adminiſtration among us, as well as in full Aſſurance of the like for the Time to come, do moſt humbly pray Your Moſt Sacred Majeſty that it may be enacted, and be it, and it is hereby enacted by his Excellency *William Mathew* Eſquire, Captain-general, and Governor in Chief in and over all His Majeſty's *Leeward Charibbee* Iſlands in *America*, by and with the Advice and Conſent of the Council and Aſſembly of the Iſland of *Montſerrat*, and by the Authority of the ſame, That there ſhall be paid unto his ſaid Excellency *William Mathew* Eſquire, or his Order, by the Treaſurer of this Iſland for the time being, the yearly Sum of

Governor's Salary.

Three hundred Pounds current Money, or the Value thereof in good Sugars, at Price current, to commence the Twenty fifth Day of *December*, in the Year of our Lord One thouſand ſeven hundred and thirty three laſt paſt, by equal Half yearly Payments, the firſt Payment thereof to be made on the Twenty fifth Day of *June* now next coming, the other Half yearly Payment to be made on the Twenty fifth Day of *December* next coming, and in like Manner every ſucceeding Twenty fifth Day of *June*, and Twenty fifth Day of *December*, during his Stay in his Government, and ſo in proportion for any Time he ſhall continue Governor.

II. AND whereas by a certain perpetual Act of this Iſland, a Duty of Impoſt was laid on Wines and other Liquors, and Licences for the Sale thereof, be it enacted by the Authority aforeſaid, That the ſaid Duties

Duty on Liquors,

and Licences laid and impoſed by the ſaid Act, *viz.* Forty Shillings for every Pipe of *Madera* Wine, and ſo in proportion for a leſſer Quantity; Forty Shillings for every Ton of Beer, or other Liquors in Caſk; and Twelve Pence for every Dozen of Bottle Liquor imported and landed in

and Licences.

this Iſland; and alſo Eighteen Pounds and Fifteen Shillings yearly, for Liberty of Licence for any Perſon to vend or ſell Liquors; alſo Nine Pounds ſeven Shillings and ſix Pence yearly, for ſuch Perſon or Perſons as ſhall have Licence to ſell Rum and Rum-punch only, and which have or ſhall be collected and received by the Treaſurer of this Iſland for the time being, or his lawful Deputy, in ſuch Manner, and by ſuch Rules, and under ſuch Penalties as are mentioned in the ſaid Act; the ſaid Treaſurer for the time being, or his lawful Deputy, ſhall hereafter be reſpectively accountable for, and is hereby directed to pay to his ſaid Excellency *William Mathew* Eſquire, or to his Aſſigns, the ſeveral Sums ſo already

ready received and not iſſued, and ſo hereafter ariſing or becoming due by virtue of the ſaid Act, as far as the Amount of Three hundred Pounds current Money *per Annum*. 1734.

III. And leaſt the Monies ariſing from the Impoſt of Liquors and Licences ſhould fall ſhort of the Sum of Three hundred Pounds current Money *per Annum*, to be paid as aforeſaid, be it further enacted by the Authority aforeſaid, That for every Wind-mill which now is or hereafter ſhall be erected, during the Continuance of this Act, the Owner thereof ſhall pay the Sum of Two Pounds current Money; and for every Water-mill the Owner thereof ſhall pay One Pound Ten Shillings; and for every Cattle-mill, One Pound current Money, yearly, unto the Treaſurer of this Iſland for the time being, or his Deputy, for the making good ſuch Deficiency, and if no Deficiency, to go to the defraying of the Charges of the Forts and Fortifications of this Iſland, and for the mounting the Artillery thereon. Duty on Mills.

IV. Provided nevertheleſs, That this Act ſhall not be conſtrued to oblige any Perſon to pay for more than one Mill upon one and the ſame Plantation; that is, he ſhall not pay for ſuch Cattle-mill that is near to, and a help to any Wind-mill or Water-mill. Proviſo.

V. Be it further enacted by the Authority aforeſaid, That in caſe the aforeſaid Proviſions made for the paying the ſaid Three hundred Pounds *per Annum* to his ſaid Excellency, or to his Aſſigns, ſhould fall ſhort of that yearly Sum, that then the Treaſurer of this Iſland for the time being, ſhall and is hereby impowered and directed, without any further Order, to pay unto his ſaid Excellency, or to his Aſſigns, out of any Poll Tax, or any other Tax whatſoever hereafter to be raiſed for the publick Uſes of this Iſland, ſo much of the ſaid ſeveral Duties or Proviſions as ſhall or may annually fall ſhort of the ſaid Sum of Three hundred Pounds, to be paid as aforeſaid. How any Deficiency in the Governor's Salary ſhall be made good.

VI. And be it further enacted by the Authority aforeſaid, That all and every Sum or Sums of Money, or Quantities of Sugar, that ſhall be raiſed or received by the Duties aforeſaid, ſhall be for the Uſe of Your Majeſty, and ſhall be applied and diſpoſed of in Manner following; *viz.* The Sum of Three hundred Pounds current Money, or the Value thereof in good Sugar at Price current, to pay his ſaid Excellency, and the Remainder, if any there be, to be applied towards putting in repair the Forts and Fortifications of this Iſland, and mounting the Artillery thereon. Diſpoſition of the publick Funds.

VII. And be it enacted by the Authority aforeſaid, That the Naval Officer of this Iſland, or his Deputy, ſhall not, under the Penalty of Twenty Pounds, clear any Ship, Sloop, or other Veſſel, without the Maſter or Commander firſt producing them, or either of them, a Certificate under the Hands of the Treaſurer, or his Deputy, purporting, that ſuch Maſter or Commander of any ſuch Ship, Sloop, or Veſſel, as aforeſaid, hath faithfully reported unto them, or either of them, the ſeveral Quantities of Wine, Beer, or other Liquors; and paid the aforeſaid Duty thereon; and the Treaſurer of this Iſland, or his Deputy, are hereby impowered to adminiſter and tender an Oath to ſuch Maſter or Commander of any Ship, Sloop, or Veſſel, and to interrogate and examine them touching the aforeſaid Premiſſes. Penalty on Naval Officer's Neglect of Duty.

VIII. And be it further enacted by the Authority aforeſaid, That all the aforeſaid Payments, Fines, and Forfeitures on Non-payment thereof within Twenty Days after they ſhall become due, ſhall be levied on the Perſons neglecting and refuſing to pay the ſame, or upon their Goods and Chattels, Lands or Tenements, by the Treaſurer for the time being, or his lawful Deputy, who have hereby full Power and Authority to do the ſame, and the ſame ſo taken to expoſe to publick Sale Ten Days Treaſurer to levy in caſe of Non-payment.

after

1734. after ſuch Levy is made, rendering the Overplus, if any be, to the Owner or Owners thereof: And this Act is to continue in force during the Time of his Excellency's Government, and no longer.

№ 103. Expired. *An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of* Plymouth.

№ 104. Expired. *An Act for the more ſpeedy and effectual Diſpatch of the publick Buſineſs of this Iſland.*

№ 105. *An Act for the better preſerving and taking care of the Pariſh Church of St.* Anthony, *and the Incloſure thereof, as alſo the Incloſure round the Old Church Yard.*

WHEREAS this Iſland has lately been at a great Expence in the building of a Church in the Pariſh of St. *Anthony*; and as it is very neceſſary that the ſame ſhould be taken care of, not only by keeping the Incluſure free from Treſpaſſes and Damages, but alſo the Church itſelf clean, and in good Order; we therefore pray Your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by his Excellency the Governor in Chief of all His Majeſty's *Leeward Charibbee* Iſlands in *America*, by and with the Advice and Conſent of the Council and Aſſembly of *Montſerrat*, That there be a Perſon annually choſen by the Council and Aſſembly of this Iſland to take care to keep the ſaid Church clean, and in good Order; and that the ſaid Perſon ſo nominated, ſhall every *Saturday*, or oftner, if need be, ſweep out the ſaid Church, and bruſh down all Vermin and Filth, and on his neglecting to do the ſame, as aforeſaid, he ſhall forfeit the Sum of Ten Shillings current Money, to be deducted out of his Salary hereafter mentioned; and that if the Perſon ſo appointed, as aforeſaid, ſhall, after Divine Service is performed, leave any Door or Window of the ſaid Church open, he ſhall forfeit the Sum of Five Shillings for every Door and Window he ſhall ſo leave open, to be deducted as aforeſaid; and that the Perſon ſo to be appointed,

Sexton to be choſen:

His Duty, and Penalty on his Neglect.

appointed, as aforeſaid, ſhall be paid from the Publick of this Iſland an annual Salary of Twelve Pounds current Money. 1734.

II. AND whereas Negroes and Cattle are very often apt to deſtroy the Fences made, and thereby to commit great Treſpaſſes; be it enacted by the Authority aforeſaid, That any Negro preſuming to take away or pull down any Stone or Stones of the Incloſure of the ſaid Church and old Church Yard, for every ſuch Offence he ſhall, upon Proof made before a Juſtice of the Peace by any one White or Slave Evidence, receive, by Order of the ſaid Juſtice, Thirty nine Laſhes in the publick Market-place, by the Hands of the common Hangman: And if any Horſe or Horſes, Cattle, Mules, or any other Beaſt, ſhall at any time be taken up within the Incloſure of the ſaid Church, or old Church Yard, the Owner or Owners of ſuch Cattle, Mules, or Beaſt, ſhall pay to the Treaſurer for the time being, or his lawful Deputy, Three Shillings *per* Head for every ſuch Beaſt taken up within the ſaid Incloſure; and the Treaſurer for the time being has hereby full Power and Authority to detain the ſaid Horſe or Horſes, Mule or Mules, or any other Beaſt or Beaſts, until the ſame be fully paid and ſatisfied, and if not paid in Four Days after the taking them up, the ſame to expoſe to publick Sale, until the whole, with the Charges, be fully paid and ſatisfied, rendering the Overplus to the Owner.

Penalty on Negroes breaking the Church Fences.

On Beaſt breaking the Church Incloſure.

III. AND whereas it has been found by Experience, that the burying of Bodies in a Church, or very near it, in this hot Climate, has been very nauſeous to the People aſſembled together at Divine Service; for the preventing of which, be it enacted by the Authority aforeſaid, That from and after the Publication of this Act, no Body ſhall be interred within the Walls of the ſaid Church, nor within the Incloſure thereof, under the Penalty of One hundred Pounds current Money, to be recovered from the Heirs, Executors, or Adminiſtrators of ſuch Perſon or Perſons who ſhall be ſo buried; and the Clergyman, or other Perſon who ſhall bury any Perſon within the ſaid Church, or within the Incloſure of the ſame, ſhall forfeit Fifty Pounds current Money; all which Penalties ſhall be ſued for by the Treaſurer for the time being, who hath hereby full Power and Authority to do the ſame, by Bill, Plaint, or Information in any Court of Record within this Iſland, and the Sum or Sums ſo recovered to be applied to the keeping in repair the ſaid Church, and the Incloſure thereof, and the Incloſure of the old Church Yard.

Penalty for burying within the Incloſure of the Church.

An Act for the encouraging the Loan of Money by Factors or Merchants in Great Britain, *to Perſons reſiding in this Iſland.* 1735. No 106.

WHEREAS the Planters and Merchants of this Iſland are often under a Neceſſity of having Money advanced for them by their Merchants or Factors in *Great Britain:* And whereas many Diſputes have and do daily ariſe upon the Allowance of Intereſt for ſuch Monies ſo advanced or lent; for Prevention thereof for the future, may it pleaſe Your Moſt Excellent Majeſty that it may be enacted, and be it, and it

1735.

is hereby enacted by his Excellency the Captain-general, and Governor in Chief in and over all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, by and with the Advice and Conſent of the Council and Aſſembly of *Montſerrat*, and by the Authority of the ſame, That all Sum or Sums of Money, that ſhall at any time after the Publication of this Act, be lent or advanced by any Merchant or Factor in *Great Britain* to any Perſon or Perſons reſiding within this Iſland, ſhall carry ſuch Intereſt for every Hundred Pounds, by the Year, as may be then lawful for ſuch Merchant or Factor to receive by the Laws of *Great Britain* at the Time of the Loan of ſuch Money, and ſo for a greater or leſſer Sum, until the ſame be fully paid, as fully and effectually as if the Perſon or Perſons for whom ſuch Sum is advanced had given his or their Bond or Bonds for the ſame, to be recovered in any Court of Record within this Iſland.

All Loans to bear Intereſt according to the Laws of *Great Britain*.

№ 107. *An Act for the reducing of Intereſt from Ten to Eight* per Cent.

WHEREAS the Abatement of Intereſt has been always found to be beneficial to Trade, and Improvement of the Sugar Plantations, by good Huſbandry: And whereas there was never yet ſettled what Sum of Money ſhall be taken for Intereſt for the Forbearance of One hundred Pounds, and ſo in proportion for a greater or leſſer Sum, which has occaſioned many Doubts and Controverſies between Your Majeſty's Subjects: We, Your Majeſty's moſt dutiful Subjects, the Captain-general of the *Leeward Charibbee* Iſlands, the Council and Aſſembly of the Iſland of *Montſerrat*, do pray Your Moſt Sacred Majeſty that it may be enacted, and be it, and it is hereby enacted and ordained, That no Perſon or Perſons whatſoever, from and after the Publication of this Act, ſhall take, directly or indirectly, for the Loan of any Monies, Wares, or Merchandize, or for the Sale of any Commodities whatſoever, above the Value of Eight Pounds for the Forbearance of One hundred Pounds for one Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Time; and that all Bonds, Contracts, or Aſſurances whatſoever, that ſhall be made or done after the Publication of this Act, for Payment of any Principal Money to be lent, or covenanted to be performed, upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken above the Rate of Eight Pounds current Money for the Forbearance of One hundred Pounds for one Year, as aforeſaid, ſhall be utterly void to all Intents and Purpoſes whatſoever.

Bond to be void, if more than Eight *per Cent.* be taken.

An

1735.

An Act for building a Magazine, and for putting in Order the Forts and Batteries within this Island, and mounting the Cannon thereon. № 108. Expired.

An Act for conſtituting a Court Merchant. 1735-6. № 109. Expired.

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of Plymouth. № 110. Expired.

An Act for the more effectual preventing all Trade in theſe Parts between His Majeſty's Subjects and the French. 1736. № 111.

WHEREAS by the Treaty of Peace, good Correſpondence, and Neutrality in *America*, between the King of *Great Britain* that then was and the *French* King, concluded on the Sixth Day of *November*, One thouſand ſix hundred eighty ſix, it was, among other things, agreed by the Fifth and Sixth Articles, "The Subjects, Inhabitants, *&c.* "of each Kingdom are prohibited to trade and fiſh in all Places, poſſeſ- "ſed or which ſhall be poſſeſſed by the other in *America*; and that if "any Ships or other Veſſels ſhould be found trading contrary to the ſaid "Treaty, upon due Proof, the ſaid Ship ſhall be confiſcated; but in caſe "the Subjects of either Nation ſhould be forced, by Streſs of Weather, "Enemies, or other Neceſſity, into the Ports of the other in *America*, "they ſhould be treated with Humanity and Kindneſs, and might pro- "vide themſelves with Victuals and other Things neceſſary for their Su- "ſtenance, and Reparation of their Ships, at reaſonable Rates, provided "they do not break Bulk, nor carry any Goods out of their Ships, ex- "poſing them to Sale, nor receive any Merchandize on board, under "Penalty of Confiſcation of Veſſel and Goods:" And His Majeſty having been pleaſed, among other Inſtructions to His preſent Captain-general, dated

Recital of Articles of Neutrality.

1736.

dated at *Hampton Court* the Twentieth Day of *July*, One thouſand ſeven hundred thirty three, after Recital of the ſaid Purport of the Fifth and Sixth Articles of the ſaid Treaty of Peace and Neutrality, to declare it to be His Will and Pleaſure, " That His Chief Governor ſhould ſignify " to His Majeſty's Subjects under his Government the Purport and In- " tent of the aboveſaid Two Articles;" and alſo has been pleaſed to order, " That His ſaid Chief Governor ſhould take particular Care that " none of the *French* Subjects be allowed to trade from their ſaid Set- " tlements to any of the Iſlands under his Government, or fiſh upon " the Coaſts thereof:" And whereas the ſailing of Veſſels cloſe under the Shores of theſe Iſlands, except under the Neceſſities as aforeſaid, can be for no other Intent but for carrying on ſuch illicit Trade: And the *French* King having by an Article of his Edict of *October*, One thouſand ſeven hundred twenty ſeven, in Conſtruction of the ſaid Treaty, peremptorily declared, " All *Engliſh* Veſſels ſailing within a League of the Shores of " any *French* Iſland, to be ſeized and confiſcated, without other Proof of " Trade, as if guilty and convicted of a Breach of the ſaid Fifth and " Sixth Articles of the ſaid Treaty of Peace and Neutrality in *America*:" And whereas the preſent Captain-general, immediately after his coming to this Government, did give publick Notice of the Purport of the ſaid Fifth and Sixth Articles of the ſaid Treaty of Neutrality throughout this Government, thereby declaring His Majeſty's Intentions, as aforeſaid; yet nevertheleſs His Majeſty's Subjects, in Contravention of the ſaid Treaty, in Breach of the Laws of *Great Britain*, and in Diſobedience to His Majeſty, do daily correſpond and trade with the *French* in theſe Parts, to the utter Ruin of His Majeſty's Subjects of theſe His Sugar Colonies, and even trade directly from this Iſland, and other Sugar Iſlands, with the *French*, or carry on the ſaid Trade eluſively at Deſart or Neutral Iſlands, pretending thereby to evade the Purport of the ſaid Fifth and Sixth Articles of the ſaid Treaty of Neutrality, and a due Obedience to His Majeſty's Will and Pleaſure ſo ſignified, and with a moſt preſumptuous Inſult and Breach of an Act of Parliament made in the Sixth Year of the Reign of His preſent Majeſty King *George* the Second, intituled, *An Act for the better ſecuring and encouraging the Trade of His Majeſty's Sugar Colonies in* America: And whereas the Judges of His Majeſty's High Court of Admiralty in theſe Iſlands have ſeemed doubtful what Judgement to give at the Trial of Veſſels for a Breach of the ſaid Treaty of Neutrality, for want of a Law to give further Force, and to render the ſaid Treaty effectual: Therefore, for the manifeſt Good, and to relieve from ſo great Evils His Majeſty's Subjects of theſe Sugar Colonies, and that His Majeſty's Moſt Gracious Intentions for the Welfare of them may have their due Effect, we, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of *Montſerrat*, do humbly pray Your Majeſty that it may be enacted and ordained, That from and after the Twenty fifth Day of *June* next enſuing the Date of this Act, it ſhall and may be lawful for the Commander of any of His Majeſty's Ships of War, or for the Commander of any other Veſſel fitted out for that Purpoſe, by Commiſſion from the Governor, or Commander in Chief of theſe Iſlands for the time being, to ſeize and take any *French* Ship or Veſſel that they ſhall meet at Sea within a League of any *Engliſh* Shore, or ſailing any where within the Extent of the Government of His Majeſty's *Leeward* Iſlands; and having actually traded any where with any of His Majeſty's Subjects, the ſaid Trade being actually proved by the ſaid *French* Ship or Veſſel having on board Proviſions, Goods, Wares, or Merchandize of the Growth, Produce, or Manufacture of any of His Majeſty's Colo-

His Majeſty's Inſtructions on the ſaid Articles.

The ſaid Articles eluded.

Law made to ſtrengthen the Articles.

nies, Lands, Iſlands, or Territories, or Negroes, Cattle, Horſes, or Mules, purchaſed of *Engliſh* Subjects, on Shore, at Sea, or any where, and the ſaid *French* Ship or Veſſel ſo ſeized and taken, to bring into this Iſland, and them to proſecute in the High Court of Admiralty of this Iſland, in the uſual Manner, where this Act ſhall be pleaded and given in as Evidence for convicting and condemning the ſaid *French* Ship or Veſſel that ſhall by due Proof be found to have traded with his Majeſty's Subjects, as aforeſaid, by having on board Proviſions, Goods, Wares, or Merchandize, of the Growth, Produce, or Manufacture of any of His Majeſty's Colonies, Lands, Iſlands, or Territories, or Negroes, Cattle, Horſes, or Mules, purchaſed of *Engliſh* Subjects, on Shore, at Sea, or any where, as aforeſaid: And further, That the Officers of His Majeſty's Cuſtoms for this Iſland for the time being are hereby impowered, by virtue of this Act, to ſeize any *French* Veſſel that ſhall come to an Anchor in any Road or Bay in this Iſland, though forced in thither by Diſtreſs, and having on board any ſuch Goods of *Engliſh* Produce, or Live Stock, as aforeſaid, and the ſame to bring to Trial and Condemnation, as aforeſaid: And the Judge of the High Court of Admiralty within this Iſland is hereby directed and required to allow of this Act being pleaded before him, as aforeſaid, and to pay a full and due Regard and Obedience hereto, the Court of Admiralty of this Iſland being hereby authorized, impowered, and required to proceed to hear and finally determine on any ſuch Seizure according to the Courſe and Method uſed and practiſed in that Court, in Proſecutions for Offences againſt Laws for regulating Trade, and ſuch Seizures and Forfeitures ſhall be divided as follows, *viz.* All ſuch Seizures made by any of His Majeſty's Ships of War, or by any ſuch Cuſtom-houſe Officers, one third Part thereof for the Uſe of His Majeſty, His Heirs and Succeſſors, to be applied for the Support of the Government of the Colony or Plantation where the ſame ſhall be recovered, one third Part to the Governor, or Commander in Chief of the ſaid Colony or Plantation, and the other third Part to the Commander of ſuch Ship of War, or Cuſtom-houſe Officer, as Proſecutor, who ſhall ſue for the ſame; but if ſuch Seizure be made by any Veſſel belonging to any of His Majeſty's Subjects, and commiſſioned for the due Execution of this Act, as aforeſaid, whereby great Expence muſt accrue to the Owner or Owners, and to ſuch Perſons as ſhall equip, at their own Expence, ſuch Veſſel, in ſuch Caſe ſuch Prize ſhall be divided as follows, *viz.* One third Part thereof for the Uſe of His Majeſty, His Heirs and Succeſſors, to be applied for the Support of the Government of the Colony or Plantation where the ſame ſhall be recovered, and the other two Thirds to the Owner or Owners, and to ſuch Perſon as ſhall equip, at their own Expence, ſuch Veſſel, as aforeſaid: And if any Scruple ſhall ariſe whether the Loading of any ſuch *French* Veſſel be of the Produce of any of His Majeſty's Dominions, as aforeſaid, the *Onus probandi* that they are foreign Produce, ſhall be on the Maſter and Crew of the *French* Veſſel ſo ſeized. 1736.

II. AND for the better and more effectual carrying this Act into Execution, be it further enacted, That the Expence of proſecuting any Offence againſt this Act ſhall be paid and borne, in the firſt Place, out of the Shares and Parts of the Penalties and Forfeitures hereby given and granted to His Majeſty, His Heirs and Succeſſors, upon any Seizure, Condemnation, and Judgement to be had and obtained for or by reaſon of any Fraud or Miſbehaviour againſt the true Intent and Meaning of this Act. Expence of Proſecution, how to be paid.

1736.

№ 112. *An Act for the further Reſtriction of Slaves, by prohibiting them from planting any Indigo, Cotton, Ginger, Coffee, or Cocoa; and from keeping a publick Market on* Sundays; *and for further reſtraining licentious Meetings of Negroes.*

WHEREAS it appears that the Laws now in force relating to Negroes and Slaves, are not extenſive enough to reſtrain them; and that Lenity and Indulgence, inſtead of producing the deſired Effects, have rather given Encouragement to Robberies and Diſorders, by furniſhing Pretences, whereby the Offenders often eſcape Puniſhment: And whereas the Labour and Induſtry of many of the poorer Sort of People of this Iſland is defeated by the Thefts of Slaves, who, under Colour of planting Indigo, Cotton, Ginger, Coffee, and Cocoa, for their own Uſe, do often ſteal the ſaid Commodities, to the great Loſs and Detriment of the Planters thereof: And whereas the ſaid Commodities, or any ſtolen Goods or Proviſions, may eaſily be diſpoſed of, without the Knowledge of the Owners, at the publick Market, which Slaves have been ſuffered to keep on the Lord's Day, whereon great Numbers of them aſſemble in and about the Towns of *Plymouth* and *Kinſale*, and other Parts of the Iſland, frequently committing Riots and Diſorders, to the great Terror and actual endangering of the Inhabitants: For the preventing therefore, as far as may be, ſuch Abuſes for the future, we, Your Majeſty's moſt dutiful, loyal, and obedient Subjects, the Governor in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of this Your Majeſty's Iſland of *Montſerrat*, humbly pray Your Sacred Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted by the Authority aforeſaid, That any Perſon whatſoever, Owner or Poſſeſſor of Slaves, that ſhall permit his or her Slave or Slaves to plant or gather Indigo, Cotton, Ginger, Coffee, or Cocoa, for the Uſe of ſuch Slave or Slaves, ſuch Maſter, Owner, or Poſſeſſors ſhall forfeit Ten Pounds lawful Money of this Iſland: And if any white Man, free Negro, or free Mulatto, ſhall expoſe to Sale any Indigo, Cotton, Ginger, Coffee, or Cocoa, ſuſpected to appertain to a Slave, any Juſtice of the Peace may cauſe the Party ſuſpected, and having the Indigo, Cotton, Ginger, Coffee, or Cocoa in Poſſeſſion, to be brought before him, and to make Oath before him, that the Indigo, Cotton, Ginger, Coffee, or Cocoa, doth not, directly or indirectly, belong to any Slave; and if the Party refuſes to make ſuch Oath, any the aforeſaid Commodities ſhall be ſeized by the Juſtice's Order, and become forfeited to the Uſe of the Informer; and if any Perſon or Perſons whatſoever ſhall hereafter buy, barter, truck for, or otherwiſe receive from any Slave or Slaves, any Indigo, Cotton, Ginger, Coffee, or Cocoa, ſuch Perſon or Perſons ſo offending ſhall, upon Conviction by the Oath of one credible Witneſs before any Juſtice of the Peace, be bound over by the ſaid Juſtice to the good Behaviour, until the next General Seſſions of the Peace and Gaol Delivery, and there be fined, not exceeding Twenty Pounds, nor leſs than Five Pounds current Money of this Iſland; and in caſe ſuch Perſon or Perſons be unable, or refuſe or neglect to pay the ſame Fine immediately, then, and in ſuch Caſe, ſuch Perſon or Perſons ſhall be committed to the common Gaol of this Iſland, there to remain for the Space of Two Months, or elſe be publickly whipt at the Diſcretion of the Juſtices; and the aforeſaid Fine or Fines ſhall

Penalty on Maſters permitting Slaves to plant Indigo, &c. for their own Uſe.

No white Perſon ſhall ſell Indigo, &c. for any Slave.

Penalty on the Buyer.

be to the Uſe of His Majeſty, His Heirs and Succeſſors, to be paid into the publick Treaſury of this Iſland, towards carrying on the Forts, Fortifications, or other publick Works of this Iſland. 1736.

Slaves not to keep Markets on *Sundays*.

II. And be it further enacted by the Authority aforeſaid, That if any Negroes or other Slaves ſhall keep any Market within the Towns of *Plymouth* or *Kinſale*, or in any other Parts or Places within this Iſland, and ſhall carry or ſell any Proviſions, or other Goods, in any of the aforeſaid Towns or Places on the Lord's Day, it ſhall and may be lawful for any Perſon or Perſons to take the ſaid Proviſions, or other Goods, from any ſuch Slave or Slaves, and convert them to their own proper Uſe; and the Perſon is hereby further impowered to give ſuch Slave or Slaves a moderate Whipping.

No Perſons ſhall traffick on *Sundays*.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon whatſoever ſhall buy, barter, truck for, or receive any Proviſions, or other Goods, from any Slave, in any of the aforeſaid Towns or Places, or ſhall ſell any Rum, or Punch, or other Liquors, or any Sort of dry Goods, by Barter, or otherwiſe on the Lord's Day, he ſhall forfeit Five Pounds current Money for each Offence.

Slaves not to travel on *Sundays* without a Ticket.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall give Leave to any Slave under his or her Care, Charge, or Ownerſhip (unleſs ſuch as uſually wait on their Perſon) to go to either the aforeſaid Towns on *Sundays*, notwithſtanding ſuch Slave carry with him nothing to ſell, without a Ticket, in which Ticket is to be expreſſed his or her Name: And the Conſtables in the ſaid Towns are hereby ſtrictly charged and commanded diligently to examine any Negro or other Slaves that ſhall come into any the aforeſaid Towns on *Sundays*, and if they have no Ticket, as aforeſaid, the ſaid Conſtables are hereby impowered to take up and whip ſuch Slaves, not exceeding Thirty nine Laſhes, and ſhall be paid for their Trouble Six Shillings out of the publick Treaſury; but if any the ſaid Conſtables ſhall be remiſs, or neglect their Duty herein, he or they ſhall forfeit for every ſuch Offence Forty Shillings current Money.

Clauſe for Slaves regular Behaviour.

V. And be it enacted by the Authority aforeſaid, That whatſoever Maſter, Miſtreſs, Owner, or Renter of any Plantation in this Iſland, being thereupon reſident, and not being abroad from his or her Plantation, and where none ſuch reſident on the Plantation, then if any Manager of any ſuch Plantation, and having the Care thereof, and thereon reſident, and being at home, or if any Overſeer, being at home, and the Maſter, Miſtreſs, Owner, or Renter happens to be abſent from home, ſhall ſuffer any Slave to beat any Drum or Drums, or empty Caſks, or great Gourds, or to blow Horns, Shells, or loud Inſtruments, for the Diverſion or Entertainment of Slaves in his, her, or their Plantation, he, ſhe, or they ſhall forfeit Twenty Pounds current Money of this Iſland for every ſuch Offence, unleſs they ſuppreſs the ſame in one Hour after the ſame begins; provided, that Information thereof be given upon Oath to one of His Majeſty's Juſtices of the Peace for this Iſland, within Three Weeks after the Offence committed.

Juſtice to appoint Correction for ſmall Offences.

VI. And it is alſo enacted by the Authority aforeſaid, That on Complaint made to any Juſtice of the Peace of any Crime done by any Slave or Slaves, ſuch Juſtice ſhall iſſue out his Warrant for apprehending the Offender or Offenders, and for all Evidences; if the ſaid Juſtice find ſuch Crime not capital, he may appoint publick Correction of ſuch Slave, according to Diſcretion; but if the Crime be very heinous, then the ſaid Juſtice ſhall commit the ſaid Offender to Priſon, to be tried by the Council, as uſual.

VII. And

1736. Manner of levying Fines.

VII. AND be it further enacted by the Authority aforeſaid, That all Fines and Forfeitures in this Act ſpecified, and not declared how and in what Manner to be levied and diſpoſed of, ſhall be recovered by Warrant from a Juſtice of Peace to any Conſtable, if not above Six Pounds, and by Warrant from Two Juſtices for any Fine exceeding Six Pounds; which Conſtable is hereby fully impowered to execute the ſaid Warrant, and to take ſuch Fees as ſhall be thought reaſonable and ſufficient by the ſaid Juſtices; one Half of ſuch Fines ſhall be and enure to the Informer, the other Half ſhall be to His Majeſty, His Heirs and Succeſſors, to be paid into the publick Treaſury of this Iſland, towards carrying on the Forts and Fortifications, or other publick Works of this Iſland.

1736-7. N° 113. Expired.

An Act for raiſing a Levy or Poll Tax, and for aſſeſſing the Houſes in the Town of Plymouth.

1737. N° 114. Expired.

An Act for appointing John Yeamans *Eſquire, Agent for this Iſland, and for providing a Recompence for his Trouble, and ſettling Methods for his better Management of that Truſt.*

1738. N° 115.

An Act for the more ſpeedy and effectual Diſpatch of the publick Buſineſs of this Iſland.

WHEREAS the publick Buſineſs of this Iſland is very often retarded for want of a ſufficient Number of the Members of the Council and Aſſembly to tranſact the ſame, whereby many Inconveniencies did daily ariſe, before a certain Penalty was laid on ſuch Members as did not duly attend, by an Act paſſed the Thirteenth Day of *February*, in the Eighth Year of the Reign of our Sovereign Lord *George* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.* which ſaid Act expired the Twelfth Day of *March* laſt: And foraſmuch as we have found that the ſaid Law was of great Service and Benefit to this Iſland, by obliging the Members of the Council and Aſſembly to pay due Attendance, when ſummoned to meet

meet on publick Buſineſs: We, Your Majeſty's loyal Subjects, the Council and Aſſembly of *Montſerrat*, do pray Your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by his Excellency the Governor in Chief in and over all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, by and with the Advice and Conſent of the ſaid Council and Aſſembly of *Montſerrat*, and by the Authority of the ſame, That from and after the Publication of this Act, if any Member or Members of His Majeſty's Council and Aſſembly of this Iſland, having been ſummoned by the Provoſt-marſhal, or his Deputy or Deputies, either by writing or verbally, Twenty four Hours before the Day of meeting, to meet or attend, ſhall neglect or omit to meet by the Hour of Ten in the Forenoon of the Day mentioned in ſuch Summons, unleſs diſabled by Sickneſs, ſuch Member or Members ſo neglecting to attend, as aforeſaid, Oath being firſt made of his or their being duly ſummoned, as aforeſaid, ſhall forfeit and pay into the Hands of the Treaſurer of this Iſland the Sum of Fourteen Shillings, in the *Specie* of Caſh, for every ſuch Neglect, and in Default of Payment thereof, the Treaſurer, or his lawful Deputy for the time being, hath hereby full Power and Authority, without any further Warrant, to levy on the Goods and Chattels of ſuch Member or Members refuſing to pay, as aforeſaid, and the ſame to expoſe to publick Sale within Two Days after they ſhall be ſo levied on: And if any Diſpute ſhall happen on any Summons in writing that ſhall be ſent to any Member or Members, the ſame ſhall be determined by the Oath of ſuch Member or Members. 1738.

Penalty for a Member of the Council not obeying his Summons.

Penalty how to be levied.

II. AND whereas the Members of the Council and Aſſembly are often at ſome Expence and Charge in attending, as aforeſaid; in Order therefore to render ſuch Attendance the more eaſy, and leſs chargeable, be it enacted by the Authority aforeſaid, That as often as the Council and Aſſembly ſhall be ſummoned to meet, each Member attending ſhall be paid Seven Shillings current Money out of the publick Stock of this Iſland.

Member of the Council's Pay.

III. AND be it further enacted by the Authority aforeſaid, That all and every the Penalties and Forfeitures mentioned in this Act, ſhall be applied in Manner following; that is to ſay, Firſt, to defray the Charges of the Council and Aſſembly, as before mentioned, and the Overplus, if any, ſhall be towards the Relief of the Poor of this Iſland.

Application of Penalties.

An Act to explain and amend an Act, intituled, An Act for repairing and amending the Highways, and for preventing the cutting down or clearing the ſtanding Woods, Underwoods, Copſes, or Buſhes which grow by the Sides of Rivers and Brooks in this Iſland. № 116.

WHEREAS it has been repreſented by the Surveyors of the Highways of the ſeveral Pariſhes or Diviſions in this Iſland, that an Act, bearing Date the Thirteenth Day of *June*, One thouſand ſeven hundred and two, intituled, *An Act for repairing and amending the High-* *Vide* № 46.

1738. *ways, and for preventing the cutting down or clearing the ſtanding Woods, Underwoods, Copſes, or Buſhes which grow by the Sides of Rivers and Brooks in this Iſland,* has been conſtrued, by Self-intereſted Perſons, contrary to the true Intent and Purpoſe thereof, whereby the ſaid Surveyors have been greatly obſtructed in their Duty: We, Your Majeſty's moſt dutiful, loyal, and obedient Subjects, the Governor in Chief in and over all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of Your Majeſty's Iſland of *Montſerrat*, do humbly pray Your Moſt Sacred Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That the Clauſe in the ſaid Act, in theſe Words, *viz.* ("And any Perſon or Perſons neglecting or refuſing to ſend their Negroes, as aforeſaid, ſhall forfeit for each working Negro Two Shillings and Six Pence") ſhall, to all Intents and Purpoſes, be underſtood to be Two Shillings and Six Pence *per Diem* for each working Negro which ſuch Perſon or Perſons ſhall neglect or refuſe ſending, when duly ſummoned, to be recovered and applied as in the ſaid Act mentioned.

Explanation of a Clauſe in a former Act.

Proviſo. II. PROVIDED nevertheleſs, and be it further enacted, That no Surveyors of the Highways ſhall have Power to ſummon any of the Inhabitants in their reſpective Pariſhes or Diviſions, to attend with more than the one Moiety of their working Field Negroes, to repair and amend the Highways.

What Negroes, and how equipt. III. AND be it, and it is hereby declared, and for the future enacted, That the Negroes which ſhall be ſent to repair and amend the Highways ſhall be of the beſt and ableſt Workers; which Negroes ſhall all bring Houghs, and at leaſt one Third of them ſhall bring Baſkets to the Highways: And if the Surveyors of any Pariſh or Diviſion ſhall ſee proper, they may direct any Perſon to ſend any Number of Bills with their Negroes to the Highways, not exceeding the Number of Negroes ſuch Perſon ſhall ſend, and any Number of Axes, not exceeding Two from any one Plantation; and alſo, where any Perſon ſends Ten or more Negroes, he ſhall ſend (if required) an Iron Crow, and one or two Pick-axes, as the Surveyors ſhall direct, to be employed on the Highways; and all ſuch Negroes ſhall attend, *de Die in Diem*, at the Highways, to repair and amend the ſame, until diſcharged by the Surveyors.

How Diſputes are to be decided. IV. AND be it further enacted by the Authority aforeſaid, That when any Diſpute ſhall ariſe concerning the Number of working Negroes any Perſon or Perſons ſhall be poſſeſſed of, that the Proof ſhall lie upon the Owner, Renter, or Manager of ſuch working Negroes, which if he or they refuſe to make upon Oath before a Juſtice of the Peace, he or they ſhall be aſſeſſed by the Surveyors of the Highways, according to the full Number of Negroes he or they ſtand charged with upon the laſt Levy Liſt returned to the Treaſurer.

V. AND foraſmuch as graſping and avaricious Perſons have, by an unjuſt Influence, prevailed with the Surveyors to connive at their illegal Encroachments upon the Highways; in order therefore to oblige the Surveyors to a ſtrict Obſervance of their Duty, be it ordained and enacted by the Authority aforeſaid, That all and every Perſon, when choſen as Surveyor, ſhall repair, within Six Days at fartheſt after his being ſo choſen, before a Juſtice of the Peace, where he ſhall take the following Oath, *viz.*

Surveyors to be ſworn.

Their Oath. *I* A. B. *do ſwear, That I will, to the beſt of my Knowledge, duly execute the Office of Surveyor of the Highways for Pariſh or Diviſion, as long as I ſhall therein continue, according to the Laws of this Iſland, without Partiality, Favour, or Affection.*

So help me God.

A Certificate of the taking of which Oath muſt be lodged by the ſaid Juſtice in the Secretary's Office, within Six Days after its being taken: And if any Surveyor of the Highways ſhall act as ſuch before he has taken ſuch Oath, as aforeſaid, he ſhall forfeit the Sum of Ten Pounds lawful Money of this Iſland; which Forfeiture ſhall be recovered and applied in the ſame Manner as upon their refuſing to ſerve in the ſaid Office. 1738. Penalty on Surveyor's acting without taking the Oath.

VI. WHEREAS alſo it has afforded Matter of Cavil, whether Surveyors, when choſen, have any Power to act before Notice thereof is given in the Churches of their reſpective Pariſhes or Diviſions; by which Means the Surveyors for thoſe Pariſhes or Diviſions where there are no Churches will always be liable to Conteſts and Delays in the Execution of their Office, which it will be of the utmoſt Conſequence to prevent for the future; be it therefore ordained and enacted, and it is hereby ordained and enacted by the Authority aforeſaid, That any Surveyor of the Highways, after having been duly ſworn, ſhall be deemed ſufficiently impowered to act in his Office as Surveyor, the ſame as if Notice of his being choſen had been given in Church. Surveyors to act as ſoon as ſworn.

VII. AND be it further enacted by the Authority aforeſaid, That Surveyors of the Highways, in their reſpective Pariſhes or Diviſions, ſhall be impowered, when and as often as the Highways in their reſpective Pariſhes or Diviſions ſhall want repairing or clearing, by Warrant under their Hands and Seals, directed to a Conſtable of the ſame Pariſh or Diviſion, to ſummon the Inhabitants of the ſame Pariſh or Diviſion, either in Perſon, or by calling and leaving Word with a white Perſon of their Plantation, or, if no white Perſon, with the Negro Overſeer or Driver, to attend with their *Quota* of Slaves, to repair and clean the Highways; and the ſaid Notice for attending Highways, being given Forty eight Hours before the Time of Attendance, ſhall, to all Intents and Purpoſes, be deemed as ſufficient, and of as full Force, as if publick Notice thereof had been given in Church: And the Conſtables ſhall receive out of the publick Treaſury of this Iſland Six Pence lawful Money of this Iſland for each Perſon ſummoned, whereof he is immediately to return a Liſt upon Oath to one of the Surveyors. Conſtables to ſummon Planters by Surveyors Warrant. Conſtables Pay.

VIII. AND whereas it is enacted and provided by the aforeſaid Act, "That where any Perſon ſhall turn any Water-courſe or Gutter, or ſuf- "fer the ſame in their Lands to overflow, or run into the common "Highway, he or they ſhall for every Month forfeit and loſe the Sum "of Five Pounds current Money for each Gutter or Water-courſe that "ſhall ſo impair the ſaid Highway;" which Forfeiture being unapplied, and no Directions in the ſaid Act how it ſhall be recovered, be it enacted by the Authority aforeſaid, That the aforeſaid Forfeiture of Five Pounds ſhall and may be recovered before any one Juſtice of the Peace, upon Oath of the Surveyors for that Pariſh or Diviſion where the Fact ſhall happen, and levied by his Warrant on the Goods and Chattels of the Offender, to the Uſe of His Majeſty, His Heirs and Succeſſors, to be paid into the publick Treaſury of this Iſland, to be applied towards the repairing and building the Forts and Fortifications thereof. Penalty for a publick Nuſance: How to be recovered and applied.

IX. AND be it further enacted by the Authority aforeſaid, That from henceforth there ſhall be elected and appointed, in Manner and Form aforeſaid, an additional Surveyor for each Pariſh or Diviſion, to be veſted with the ſame Power and Authority as the other Surveyors of the Highways, and to be ſubject to the ſame Penalties on refuſing to ſerve, which ſhall be recovered and applied as before directed; as likewiſe Two Surveyors for the Town of *Plymouth*, to be elected and appointed out of the Inhabitants of the ſaid Town, in Manner and Form aforeſaid, and to be ſubject An additional Surveyor to be appointed. Two Surveyors for *Plymouth* Town.

1738.

ſubject to the ſame Penalties on refuſing to ſerve, to be recovered and applied as before recited, which Surveyors for the Town of *Plymouth*, ſo choſen, ſhall have Power and Authority to ſummon, as aforeſaid, the Inhabitants of the ſaid Town, to ſend three Fourths of all their working and able Negroes, for the cleaning and repairing the ſeveral Streets, Lanes, and Alleys in the ſaid Town, as often as they ſhall think convenient, and for puniſhing Delinquents, in the ſame Manner as is practiſed by the Surveyors of the Highways in their reſpective Pariſhes or Diviſions; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Duty of the Surveyors for the Town of *Plymouth*.

Penalty on Juſtice's Neglect of Duty.

X. And if any Juſtice of the Peace ſhall fail to do his Duty in any Reſpect, as by this Act required, he ſhall forfeit Fifty Pounds lawful Money of this Iſland for every Offence or Neglect, to be recovered in any Court of this Iſland by Action of Debt, one Moiety to the Uſe of the Informer ſuing for the ſame, and the other Moiety to the Uſe of His Majeſty, His Heirs and Succeſſors, to be paid into the publick Treaſury of this Iſland, to be employed about the Forts and Fortifications thereof, in which Action the Informer, if he recover, ſhall recover alſo full Coſts.

Publick Act.

Treble Coſts.

XI. And if any Juſtice of the Peace, or Surveyor of the Highways, ſhall be ſued or moleſted for any thing done by virtue of this Act, he or they ſhall and may plead the General Iſſue, and give this Act in Evidence in ſuch Suit; and if the Plaintiff in ſuch Suit be nonſuit, or diſcontinue his Action, or a Verdict be found againſt him, he ſhall pay treble Coſts of Suit, and all Judges and Juries are to take Notice thereof accordingly.

№ 117. Expired.

An Act for raiſing a Levy or Poll Tax, and for taxing the Houſes and Livers in the Town of Plymouth.

№ 118. Expired.

An Act for repairing Plymouth *Fort and Magazine, and for ſecuring the Town from any future Eruption of Water from the Fort Gutt.*

An

1739.

An Act to raiſe a Levy or Poll Tax upon Whites and Slaves, and to tax the Houſes in the Town of Plymouth. № 119. Expired.

1739-40.

An Act for preventing clandeſtine Marriages in the Iſland of Montſerrat. № 120.

WHEREAS clandeſtine Marriages have been frequently celebrated in this Iſland, whereby Parents have been deprived of their Children without their Conſent or Approbation, to the great Injury and Inquietude of Families: And whereas evil-minded Perſons are ſtill at Liberty to carry on ſuch irregular Practices, unleſs timely prevented by Law; for remedying thereof, and entirely ſuppreſſing ſo great an Evil, we, Your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of the Iſland of *Montſerrat*, do pray Your Majeſty that it may be enacted, and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Governor in Chief of all His Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of *Montſerrat*, and by the Authority of the ſame, That from and after the Publication of this Act, no Rector, Vicar, Chaplain, or Curate, or any other Perſon or Perſons whatſoever, ſhall preſume, under any Colour or Pretence whatſoever, to marry, or join together in Wedlock any Couple before the Parties ſo intending or deſigning to be married be duly called in ſome Church of this Iſland by the Chriſtian Name and Surname of the ſaid Couple for Three *Sundays*, during the Time of Divine Service, or that the Parties ſo intending to be married, or one of them, ſhall firſt procure and take out, or cauſe to be procured and taken out of the Secretary's Office of this Iſland a Licence for that Purpoſe, which Licence ſhall alſo be ſigned by the Ordinary or deputed Ordinary on this Iſland for the time being, before the ſame ſhall be of any Force or Validity whatſoever.

Perſons to be called in Church three *Sundays* before Marriage:

Or have a Licence.

II. AND be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall marry, or join together in Wedlock any Couple whatſoever, unleſs both Parties be firſt called in Church, as aforeſaid, or have ſuch Licence, as aforeſaid, authorizing him to do the ſame, ſuch Perſon or Perſons offending againſt this Act ſhall forfeit and pay Four hundred Pounds current Money for every Offence ſo by him committed, to be recovered in any of His Majeſty's Courts of Record by Action of Debt, Bill, Plaint, or Information, in which no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed; and the ſame, when recovered, ſhall go, one Moiety, or half Part thereof, to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, and the other Moiety, or half Part, ſhall be paid into the Hands of the Treaſurer for the time being, to and for the Repairs of the Churches in this Iſland.

Penalty on Offenders.

Penalty how to be applied.

1740.

№ 121. *An Act for the better Recovery of Debts from Judges, and others, Miniſters of the Law in this Iſland, and for obliging them to put in Special Bail upon Warrants of Arreſt.*

WHEREAS it has been found by Experience, that Judges of the Court of King's-bench and Common-pleas, and others Miniſters of the Law in this Iſland, have made an ill Uſe of their Privilege, in obliging Perſons who arreſted them to accept of a common Appearance inſtead of giving Special Bail to ſuch Actions, by Means whereof ſeveral Perſons have loſt their Debts, after having been put to great Expences in endeavouring to recover them, to the great Detriment of Merchants, and other Perſons trading to and from this Iſland, as well as many of the Inhabitants reſiding therein: And whereas nothing can be of worſe Conſequence to the publick Good, or more hurtful to the Trade of any Place, than that Perſons who are intruſted in ſuch high and exalted Stations as Judges of the Courts are, ſhould endeavour to ſcreen themſelves from the Payment of their juſt Debts by any ſuch Privilege, when they ought to ſhew good Example, as well in the Payment of their Debts, as in the due Execution of the Laws: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Captain-general, and Governor in Chief of all His Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of this Your Majeſty's Iſland of *Montſerrat*, do pray Your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the Authority of the ſame, That from and after the Publication of this Act, no Judge or Judges of Error, no Chief Juſtice or Juſtice Aſſiſtant of the Court of King's-bench and Common-pleas, no Baron of His Majeſty's Court of Exchequer, no Barriſter or Attorney at Law, or any other Miniſter of the Law, in or belonging to the ſaid Courts, or any other Perſon whatſoever, ſhall hereafter have any Right or Privilege to enter any common Appearance for the Diſcharge of any Bail-bond entered into by them, or any of them, or in any Caſe whatſoever where Special Bail ought to be given by the Laws and Cuſtoms of this Iſland, or the Laws and Cuſtoms of *Great Britain* that are in force here; but that every Judge or Judges of Error, every Chief Juſtice, Juſtice Aſſiſtant, Baron of the Exchequer, Barriſter or Attorney at Law, or any other Miniſter of the Law, in or belonging to the ſaid Courts, or any other Perſon, ſhall be, and is hereby obliged to put in Special Bail to ſuch Action or Actions, in the ſame Manner as if they, and each of them, never had any ſuch Privilege, or in the ſame Manner as any other of His Majeſty's Subjects are obliged to do; any Uſage, Privilege, or Cuſtom to the contrary in any wiſe notwithſtanding.

All Perſons arreſted ſhall be held to Bail.

II. AND whereas ſome Diſputes have ariſen upon an Act, intituled, *An Act for the eſtabliſhing a Court of King's-bench and Common-pleas, and a Court of Errors, and for the more ſpeedy Execution of Juſtice; and for collecting certain Fines and Penalties on the Officers taking other Fees than allowed in a Docket ſettled by his Excellency, by the Advice of the Council*, paſſed in the Iſland of *Montſerrat* the Seventh Day of *March*, in the Year of our Lord One thouſand ſeven hundred and twenty nine, inaſmuch as there is no Mention in the ſaid Act of any Perſon that ſhall ſign any Writ or Writs of Summons, Warrant or Warrants of Arreſt, or Execution, againſt the Chief Judge of the Courts of King's-bench and Common-pleas

Vide № 86.

Common-pleas for the time being; be it therefore enacted, and it is hereby enacted by the Authority aforeſaid, That from and after the Publication of this Act, all Writs of Summons, Warrants of Arreſts, and Executions for the future, that ſhall be iſſued againſt the Chief Juſtice for the time being, ſhall be ſigned by the next ſenior Juſtice, if upon the Iſland, and in caſe of his Abſence, Diſability, or Refuſal, by the next in Commiſſion, and ſo in courſe, reſpectively; any thing herein contained to the contrary in any wiſe notwithſtanding.

1740.

How Writs ſhall be ſigned.

An Act to raiſe a Levy or Poll Tax upon Whites and Slaves, and to tax the Houſes in the Town of Plymouth.

№ 122. Expired.

An Act impowering the Juſtices of the Court of General Seſſions to appoint Surveyors of the Highways, and for the Town of Plymouth, *on failure of their being appointed, as by former Acts directed.*

№ 123.

WHEREAS a ſufficient Proviſion is not yet made for appointing Surveyors of the Highways, and for the Town of *Plymouth*, whereby great Inconveniencies have ariſen to the Publick; we, Your Majeſty's moſt dutiful, loyal, and obedient Subjects, the Governor in Chief in and over all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of Your Majeſty's Iſland of *Montſerrat*, do humbly pray Your Moſt Sacred Majeſty that it may be enacted and ordained, and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That in caſe the chief Freeholders in each Pariſh or Diviſion ſhall neglect meeting to chooſe Surveyors on *Eaſter Tueſday* or *Wedneſday*, and likewiſe the Judge of the ſaid Pariſh or Diviſion, and the Aſſemblymen, ſhall neglect chooſing Surveyors the Week following, as directed by an Act, bearing Date the Thirteenth Day of *June*, One thouſand ſeven hundred and two, intituled, *An Act for repairing and amending the Highways, and for preventing the cutting down or clearing the ſtanding Woods, Underwoods, Copſes, or Buſhes which grow by the Sides of Rivers and Brooks in this Iſland*, then the Juſtices of the Court of Grand Seſſions of *Oyer* and *Terminer*, General Gaol Delivery, and General Seſſions of the Peace, ſhall, at their General Seſſions, be impowered and authorized to nominate and appoint Surveyors, for repairing and amending the Highways of the ſeveral Pariſhes or Diviſions in this Iſland, and for cleaning and repairing the ſeveral Streets, Lanes, and Alleys in the Town of *Plymouth*; which Surveyors, ſo nominated and appointed, ſhall be veſted with the ſame Power and Authority, and be ſubject to the ſame Penalties as if they had been choſen, as by former Acts directed; any thing in the ſaid Acts to the contrary notwithſtanding.

Who may appoint Surveyors, on Neglect of Freeholders, *&c.*

Vide № 46.

F I N I S.

A N

ABRIDGMENT

OF THE

Acts of Aſſembly,

PASSED IN THE

Iſland of *Montſerrat*;

From 1668, to 1740, inclusive.

G R



LONDON:

Printed, by Order of the Lords Commiſſioners of Trade and Plantations, by *John Baskett*, Printer to the King's Moſt Excellent Majeſty. M.DCC.XL.



INDEX

To the following

ABRIDGMENT.

A

Assemblies, —— Page 125
Assignments, —— 126
Artificers, —— ibid.
Alehouses, see Liquors.

B

Beacons, —— ibid.
Bills and Bonds, see Assignments.
Blasphemy, —— ibid.
Boats and Wherries, —— ibid.
Bounds of Land, —— ibid.

C

Canes, —— ibid.
Canoes, —— 127
Cattle stolen by Negroes, —— ibid.
Coin, —— ibid.
Commodities rated, —— ibid.
Corn, Flour, Biscuit, &c. —— 128
Councillors, —— ibid.
Courts of Judicature, —— ibid.
Credit, —— 131

D

Differences not above 6l. —— ibid.
Defendants, see Courts.

E

Estates, —— ibid.
Executions, —— ibid.
Evidences, see Courts.

F

Fees, —— ibid.
Factors, see Credit.
Forestallers, —— ibid.
Forts, —— 132

G

Gaming, —— Page 132
General Sessions, —— ibid.
Governor, —— ibid.

H

Highways, —— Page 133

I

Impost, —— 134
Indigo and Sugar, —— 135
Ingrossers, —— ibid.
Interest of Money, —— ibid.
Juries, —— ibid.
Judges may be arrested, —— 136

L

Labourers Wages, —— ibid.
Law-suits and Limitations, — ibid.
See also Courts.
Liquors and Licences, —— ibid.
Lord's Day, —— 137

M

Marriages, —— ibid.
Marshals, —— 138
Masters of Ships, —— ibid.
Militia, —— ibid.
Ministers, —— 139

O

Opprobrious Language, —— ibid.

P

Parish Church, —— 140
Physicians, —— ibid.

Powder Duty, see **Impost.**
Provisions, ——— Page 140
Plaintiffs, see **Courts.**

R

Ruy, ——— ibid.

S

Seamen or Sailors, ——— ibid.
Sabbath, see **Lord's Day.**
Secretary, ——— ibid.
Servants and Slaves, ——— ibid.
Sessions, see **General Sessions.**
Ships, ——— 143
Sugar, see **Canes,** and **Indigo.**

T

Thatched Houses, ——— Page 144
Tobacco, ——— ibid.
Trade, ——— ibid.

W

Water-courses, ——— 145
Weights and Measures, — ibid.
Wherries, ——— ibid.
Woods, ——— 146
Writings, ——— ibid.
Writs, ——— ibid.

AN ABRIDGMENT OF THE Acts of Aſſembly OF *MONTSERRAT.*

Aſſemblymen. N° 76.

NO Provoſt-marſhal ſhall, by virtue of any Writ out of any Court, levy upon any of the Members of the Council or Aſſembly, or their Clerks, Officers, or their Servants or Slaves waiting on them, or upon Perſons attending on the Courts of Law, or the Horſes they ride on, when convened by the Governor for the Benefit of the Colony, nor for 24 Hours before or after ſuch Meeting.

N° 82. II. *Sect.* 6.

IF any Member of the Council or Aſſembly ſhall ſign any publick Adjuſtment out of their reſpective Houſes, he ſhall forfeit One hundred Pounds, Half to the Uſe of the Fortifications, and Half to any Member of the Council or Aſſembly who ſhall ſue for the ſame within Seven Months after the Offence committed.

N° 115. III. *Sect.* 1.

IF any Member of the Aſſembly, being ſummoned by the Marſhal 24 Hours before the Time of meeting, ſhall neglect to attend by Ten o'Clock in the Forenoon on the Day of meeting, and not diſabled, he ſhall forfeit Fourteen Shillings; and if he refuſe to pay it, the Treaſurer ſhall levy it on his Goods: And if any Diſpute ariſe on any Summons, it ſhall be determined by the Oath of the Member.

IV. § 2. Every Member of the Aſſembly ſhall be paid Seven Shillings for every Day's Attandance, out of the publick Stock of the Iſland.

V. § 3. Forfeitures by this Act ſhall go to the Expence of the Council and Aſſembly.

Aſſignments. N° 32. *Sect.* 1.

NO Perſon ſhall make over or aſſign any Bonds or Bills of Debts due to them from an Inhabitant of the Iſland, without Conſent of the Debtor, or perfecting Accounts with him, on Penalty of making Satisfaction to the Perſon wronged, and Impriſonment till paid.

II. § 3. No Perſon, Inhabitant or Foreigner, ſhall have a Trial for any Debt or Contract by a Jury of 12 Freeholders in any Court in the Iſland, unleſs the Debt or Contract, beſides Penalties, amount to 1000 *lb.* of Sugar Value.

Artificers. N° 91.

ALL Manner of Debts due to Artificers, not above Six Pounds, may be determined by a Juſtice of Peace, who may ſummon the Defendant; and in caſe of Non-appearance, or the Plaintiff prove his Debt, the Juſtice ſhall iſſue Execution againſt the Defendant, and for want of Diſtreſs commit the Defendant to Gaol.

	s.	*d.*
Fees for a Warrant or Execution,	1	6
Serving each,	0	9
With Three Pence *per* Mile to the Marſhal for travelling.		
And for levying the Execution,	1	6

And the Juſtice ſhall record all his Proceedings.

II. § 2. Every Juſtice once a Year ſhall return a Record of all ſuch Proceedings into the Secretary's Office, on Penalty of Five Pounds.

Beacons. N° 7. *Sect.* 5.

BEacons ſhould be built in each Diviſion of the Iſland, in ſuch Place as the Commander of the Diviſion ſhould appoint; and if built of Stone, the Walls ſhould be Eight or Ten Foot high, if of Timber, the Poſts to be of ſuch Hight as the Commander ſhall appoint.

II. § 6. No Perſon ſhall fire a Beacon without juſt Cauſe, on Penalty as in ſuch Caſes are provided by the Laws of *England*.

Blaſphemy. N° 54. *Sect.* 2.

WHoever ſhall by Prophaneneſs or Blaſphemy diſhonour Almighty God, ſhall be fined at the Diſcretion of the Court, not above 4000 *lb.* of Sugar, and if not able to pay, ſhall have Corporal Puniſhment, not extending to Life or Limb.

II. § 5. Penalties ſhall be Half to the Support of the Government, and Half to the Informer.

Boats and Wherries. N° 35. *Sect.* 3.

ALL Owners of Boats, or other ſmall Veſſels, ſhall chain them up every Night to a Tree or Poſt, or bring them under Guard, and take away their Oars, Sails, and Rudders, and ſecure them, on Penalty of 2000 *lb.* of Sugar.

II. § 4. Whoever ſhall be convicted of ſtealing any Boat, or other Veſſel, or be aiding to the ſame, ſhall be guilty of Felony.

III. § 5. Perſons contriving or complotting to ſteal any ſuch Veſſel, if free, ſhall pay 2000 *lb.* of Sugar to the Publick; but if the Offender be a Servant, he ſhall be publickly whipt, and when his Time is expired be ſold for Four Years longer, for the Benefit of the Publick.

Bounds of Land. N° 21. *Sect.* 1.

THIS Clauſe appointed ſeveral Perſons to ſurvey and mark the Bounds of all the Plantations in the Iſland, and ordered that the ſame ſhould be by the ſaid Surveyors or Examiners certified into the Secretary's Office, and there remain, as good and lawful to Poſterity for and againſt all Perſons concerned.

II. § 2. After the Bounds were ſo examined, the Perſons concerned in them ſhould keep them clean and cleared once a Year, on Penalty of 1000 *lb.* of Sugar.

III. § 3. The Perſons appointed to examine the ſaid Bounds were to return Certificates of the whole within Two Months after the paſſing of the Act, on Penalty of 1000 *lb.* of Sugar for each Neglect.

Canes. N° 8. *in p.* 29.

IF any Perſon paſs through a Field of Canes where there is no common Path, he ſhall be liable to the Cenſure of the Governor and Council. If a Maſter, Servant, or Slave, go into a Field of Canes by Day or Night with Fire-light, though no Hurt be done, yet he ſhall be liable to the ſame Cenſure of Governor and Council: But if the Canes be ſet on Fire by a Maſter, or by a Servant or Slave, by the Maſter's Conſent, then the Maſter ſhall make full Satisfaction, otherwiſe be liable to the ſame Cenſure; but if a Slave offend of his own Accord, he ſhall be puniſhed as the Governor and Council ſhall cenſure, not to prejudice Life or Limb. And every Maſter, Servant, or Slave, gathering Cane-tops without the Owner's Conſent, ſhall be liable to the ſaid Cenſure of the Governor and Council.

N° 50. II. *Sect.* 1.

IF any Perſon carry Fire, or ſmoke Tobacco through Canes, or Paths on the Side of Canes, if a White, he ſhall forfeit Five Shillings, and if a Black, he ſhall be whipt, not exceeding 39 Laſhes.

III. § 2. If by carrying Fire, or ſmoking Tobacco, any Canes happen to be burnt, the Damage ſhall be viewed by Two Freeholders, and by the Report of one or both of them on Oath, the Sufferer ſhall recover his Damages to the full Value, if the Offender be a free white Man, if a Servant or Black, then from the Owner of the Servant or Slave, or elſe deliver his Servant or Slave up to the Sufferer.

IV. § 3. The Bounds or Borders of all Plantations where Canes are planted ſhall be a Range of Ground 35 Foot wide, of which the Windward Plantation ſhall allow 20 Foot, and the Leeward 15: And when any Perſon has Occaſion to burn his Ground or Traſh, he ſhall give the other 24 Hours Warning.

V. § 4. When Canes ſhall be burnt for want of due Warning, or Diſtance of Ground left, all Damage ſhall be made good by the Perſon who neglected his Duty in that Caſe.

VI. § 5. Every white Perſon breaking Canes, ſhall forfeit Ten Shillings, or be whipt, not above 20 Laſhes; if a Slave, to be whipt, not above 39 Laſhes: And if a Slave is wounded or killed in Purſuit of him, no Satisfaction ſhall be made to his Owner.

Canoes. N° 82. *Sect.* 1.

ALL Perſons, Owners or Part-owners of Canoes, ſhall give Bond in the Secretary's Office, with Two Sureties, Freeholders, in Five hundred Pounds Penalty, for making Satisfaction to any Perſon whoſe Servant or Slave ſhall eſcape from the Iſland in ſuch Canoe.

II. § 2. In caſe of any Perſon ſuffering by ſuch Neglect, the Bond ſhall be aſſigned over by the Lieutenant-governor, or Preſident for the time being, to ſuch Sufferer, to be ſued in any Court for the Penalty, out of which Satisfaction ſhall be made to the Perſon perjudiced: And if the Lieutenant governor or Preſident neglect to aſſign over ſuch Bond, when demanded, he ſhall forfeit Five hundred Pounds to the Party grieved, wherein no Privilege or Protection ſhall be allowed.

III. § 3. If any Owner of a Canoe, or Part-owner, neglect to give ſuch Security, the Provoſt-marſhal, Conſtable, or other publick Officer, ſhall burn ſuch Canoe, and utterly deſtroy it, and all ſuch Canoes.

IV. § 4. If any Canoe ſhall remain undeſtroyed 14 Days after the Owner ſhall refuſe to give Bond, the Conſtable, or other publick Officer of the Pariſh where the Canoe is, ſhall forfeit Twenty Pounds.

V. § 5. If any Perſon (required) ſhall refuſe or neglect to aid or aſſiſt ſuch Officer in the Execution of this Act, he ſhall be committed to Gaol for Three Months.

Cattle ſtolen by Negroes. N° 33. *Sect.* 1.

GOODS ſtolen by Negroes ſhall be paid for by the Owners of the Slaves, to the Owners of the Goods ſtolen.

For every Cow,	800	*lb. Sugar*
Every Beaſt fit to draw in a Mill,	1000	
Every Horſe or Mare,	2000	
Every Calf Six Months old,	200	
if under, but	20	

For Hogs, Goats, or Turkies, the ſame Value in Quality ſhall be reſtored; and the Slaves offending ſhall be publickly whipt.

Coin. N° 16.

THE third and fourth Clauſes of this Act fixed the Value at which Dollars ſhould paſs in Montſerrat; *but that Act being repealed by general Words in the Act of Parliament* for ſettling the Rates of Foreign Coins in the *Britiſh* Plantations in *America*, *it was therefore thought proper not to inſert any Abridgment of thoſe Two Clauſes in this Collection.*

Commodities rated. N° 20. *Sect.* 1.

THIS Act appointed Viewers of Sugar and Indigo, paid from Party to Party; *but that ſeems obſolete, there being no Succeſſion appointed.*

II. § 2. *Enacts*, That no Sugar ſhall be paid under Fifteen Shillings the Hundred.

N° 44. III. *Sect.* 1.

ACtions brought for Debts due in the Iſland before *May* 1, 1700, may pay in Money in lieu of every 100 *lb.* of Sugar,

	s.	*d.*
	12	6
Every Pound of Indigo,	2	0
Every Pound of Cotton-wooll ginn'd,	0	9
Every Pound of Tobacco or Ginger,	0	1½

IV. § 2. The Judges of the Courts ſhall allow the Defendants to tender Money in lieu of Goods, at the Rates aforeſaid; and upon an Execution levied, if the Defendant tender Money at the aforeſaid Rate, the Marſhal ſhall diſcharge the Defendant.

V. § 3. For Debts contracted or due ſince *May*, 1700, the Debtors ſhall be obliged to pay in the *Specie* contracted for; and the Judges ſhall cauſe Judgement to be entered for the Commodity contracted for, or ſo much Money as the ſame ſhall be then worth, which ſhall be valued by the Judges.

VI. § 4.

VI. § 4. If the Marſhal can't find the Commodities for which Judgement is entered, he may levy on any other Goods or Lands to raiſe as much Money as will pay what the Execution is for, in the uſual Manner; and when the Execution is laid on the Body of the Defendant, he ſhall lie till he has paid the Debt in Money or Commodities.

VII. § 5. The Secretary ſhall inſert in the Record, and under every Judgement, whether it is for a Debt due before or after the Firſt of *May*, 1700; *but this was but for Four Years.*

VIII. § 6. *This was only a temporary Clauſe, in Favour of the Marſhal, in regard to levying Executions at that Time, which is now obſolete.*

Coin, Flour, Biſcuit, and Dates.

N° 97. *Sect.* 1.

ALL Flour and Biſcuit ſhall be ſold by the hundred weight; *Indian* Corn, at 56 *lb.* to the Buſhel, off the Husk, but upon the Husk, at 84 *lb.* to the Buſhel; and Oates, at 36 *lb.* to the Buſhel; and if any Perſon buy or ſell contrary, they ſhall forfeit Five Pounds for each Offence, to be recovered before a Juſtice, and levied by his Warrant.

II. § 2. A Copy of this Act is to be fixed up in each Pariſh of the Iſland.

Councillors. N° 76.

NO Councillor, or Clerks attending the Council, nor any of their Servants or Slaves waiting on them, nor the Horſes they ride on, ſhall be levied on by any Writ out of any Court on any publick Days of meeting, when ſummoned or convened for the Benefit of the Iſland, nor in 24 Hours before or after ſuch Meeting.

N° 82. II. *Sect.* 6.

IF any Member of the Council or Aſſembly ſhall ſign any publick Adjuſtment out of their reſpective Houſes, he ſhall forfeit One hundred Pounds, Half to the Uſe of the Fortifications, and the other Half to any Member of the Council or Aſſembly who ſhall ſue for the ſame within Seven Months after the Offence committed.

N° 115. III. *Sect.* 1.

IF any Member of the Council, duly ſummoned by the Marſhal to meet and attend, and ſhall refuſe or neglect to attend by Ten o'Clock in the Forenoon on the Day of meeting, and not being diſabled by Sickneſs, he ſhall forfeit Fourteen Shillings; and if he refuſe to pay it, then the Treaſurer ſhall levy it on his Goods: And if any Diſpute ariſe on a Summons, it ſhall be determined by the Oath of the Member.

IV. § 2. Every Member of the Council ſhall be paid Seven Shillings for each Meeting out of the publick Stock of the Iſland.

V. § 3. All Forfeitures by virtue of this Act ſhall be applied to the Charges of the Council and Aſſembly.

Courts of Judicature. N° 7. *Sect.* 1.

THE Inhabitants are impowered to cut Timber in any Plantation to build a Court-houſe, to be erected at the Coſt and Charge of Four Carpenters in the Act named.

II. § 2. Commiſſioners were appointed to overſee the Building, and all others concerned were to be obedient to their Commands.

III. § 3. Commiſſioners were appointed to ſee the Court-houſe thatched and daubed.

IV. § 4. Every Freeman ſummoned to aſſiſt, and neglecting, ſhall forfeit 20 *lb.* of Sugar *per* Day, and be liable to Corporal Puniſhment; and every Maſter to forfeit 20 *lb.* of Sugar *per* Day for every Servant or Negroe's Neglect; and if the Servant or Negro was in fault, then they were to have Corporal Puniſhment; and if a Maſter or Overſeer detained them, he then ſhould forfeit 40 *lb.* of Sugar *per* Day.

N° 32. V. *Sect.* 2.

THE Governor ſhall have full Power to appoint twice a Year one General Court of *Oyer* and *Terminer* and *Niſi Prius*, to be held for the Iſland.

N° 76. VI.

NO Plaintiff, Defendant, or Evidence, attending any Court of Judicature, ſhall be levied on by any Writ out of any Court, nor on their Servants or Slaves waiting on them, nor on the Horſes they ride on, upon any Court or publick Days of Attendance, nor within 24 Hours before or after the Time of Attendance.

N° 89. VII. *Sect.* 1.

A Court of King's-bench and Common-pleas, conſiſting of a Chief Juſtice and Four Aſſiſtants, appointed by the Governor, ſhall hear, try, and determine in the ſaid Court, according to the Laws of *Great Britain*, and of the Iſland, all Actions, Suits, and Proſecutions at Law, which ſhall be brought into the ſaid Court.

VIII. § 2. The Judges ſhall all take the State Oaths, and the Oath preſcribed in the Act.

IX. § 3. The Judges ſhall have the ſame Power as the Judges of the King's-bench and Common-

Common-pleas have at *Weſtminſter*, ſubject nevertheleſs to ſuch Juriſdictions, Power, and Authority as the Court of King's-bench at *Weſtminſter* hath uſually exerciſed over all other Courts of Law or Juſtice in His Majeſty's Dominions.

X. § 4. The Court ſhall be held at *Plymouth* on the ſecond *Tueſday* in *March*, *April*, *May*, *June*, *July* and *Auguſt*, yearly, and may be adjourned by any Two Juſtices, but not above Ten Days, and in *Auguſt* not above Three Days.

XI. § 5. Two of the Judges may try all General Iſſues, but no Judgement in Special Caſes, *as expreſſed in the Act*, but by Three Judges.

XII. § 6. All Actions ſhall be entered, and Declarations filed in the Secretary's Office Ten Days before each Court: And all Copies of Declarations, and Writs of Summons, *in the Form preſcribed in the Act*, ſhall be ſerved on the Defendant Four Days before Court.

XIII. § 7. In Actions of Account, or upon Bills, Bonds, or *Aſſumpſits*, no Declaration, but a Copy of the Account, and a Summons ſhall be ſerved on the Defendant; and if the Defendant cannot be found, or be abſent from the Iſland, then the Copy and Summons ſhall be left at his uſual Place of Abode, or on his Freehold, and another Copy put up at the Court Door, and ſhall be deemed as good as perſonal Service.

XIV. § 8. The Judges are impowered to determine in Court, without a Jury, all Actions under Ten Pounds, or 1000 *lb.* of Sugar, and all Cauſes relating to Servants, and Artificers, and Labourers Wages, not exceeding the Value of 2000 *lb.* of Sugar, or Fifteen Pounds current Money; and the Court may allow the Plaintiff to ſwear to his own Debt.

XV. § 9. All Actions ſhall be tried at the ſecond Court after commenced, and Judgement immediately given on Verdict found, unleſs ſufficient Cauſe ſhall appear to the Court to ſtay the ſame: If the Defendant neglect to appear at the ſecond Court, Judgement ſhall go by Default, and the Court ſhall adjuſt the Debt and Damages, as well as by a Writ of Enquiry: Provided, That if the Defendant be *Non compos mentis*, or abſent, he may have his Remedy when his Diſability is removed, for the Wrong done him, if any can be proved.

XVI. § 10. All Special Pleas, Demurrers, Writs, or Declarations, ſhall be filed, and Copies delivered Ten Days before the ſecond Court, or Defendant plead General Iſſue; and the Plaintiff ſhall deliver his Plea Six Days before Court, or elſe the Defendant may ſtay till a third Court; and Joinder in Demurrer ſhall be heard in Ten Days, or at next Court.

XVII. § 11. Immediately on Judgement given, the ſenior Judge ſhall ſign Execution in the Manner preſcribed in the Act.

XVIII. § 12. Officers neglecting to levy Executions according to the Directions in ſuch Executions, ſhall forfeit Fifty Pounds; but if the Defendant ſhall give Security to deliver the Goods at Day of Sale, or pay the Debt and Coſts, he may keep them; which if he fail to do, the Goods ſhall be ſold at *Plymouth*, in Preſence of Four credible Witneſſes, between Ten and Four o'Clock in the Day, and when Debt, Coſts, and Charges paid, the Overplus ſhall be returned to the Owner; but if the Goods fall ſhort in Value, the Officer ſhall levy again.

* XIX. § 13. Officers ſelling Lands or Goods taken in Execution, ſhall be obliged to receive in Payment Goods of the Product of the Iſland at the current Price, and the Plaintiff ſhall accept the ſame.

* *The Act* N° 100, *has eſtabliſhed Rules for the Sale of Effects taken in Execution, and paid for in the Product of the Iſland, but that Act ſeems to have miſtaken ſome Words therein recited; however the enacting Part thereof is in full Force and Uſe, for which ſee the Act itſelf in Folio* 100.

XX. § 14. If any Difference ſhall ariſe touching the Value of Goods, either Party may have a Warrant from the ſenior Judge to appraiſe the ſame by Two Perſons named by each Party, who may, if need require, chooſe an Umpire.

XXI. § 15. If any Appraiſer or Umpire ſummoned, refuſe or neglect to act, he ſhall forfeit Twenty five Pounds, to the Uſe of the Fortifications, upon a Plaintiff's neglecting to name Appraiſers; or if the Appraiſers or Umpire neglect the Duty, the ſenior Judge ſhall appoint others, and the Goods ſo appraiſed ſhall be delivered to the Plaintiff for his Debt, Damages, and Coſts.

XXII. § 16. If Goods taken in Execution periſh before Sale (unleſs by Fault of the Officer, and then he ſhall bear the Loſs) the Defendant or Owner ſhall bear, and the Officer ſhall levy more.

XXIII. § 17. If any Defendant having given Security for the forthcoming of Goods ſhall conceal the ſame, or not deliver them at the Day of Sale, the Marſhal ſhall, by Writ from the ſenior Judge, ſeize the Goods of the Security, and if the Security have not Goods to levy on, then the Sureties ſhall be committed till the Debt and Coſts be paid.

XXIV. § 18. A Bill of Sale from the Marſhal, of Goods taken by Execution, and ſold or delivered to the Plaintiff, as aforeſaid, ſhall be a good Title to the ſame; and the ſame, as to Land ſold by virtue of an Execution, ſhall convey as good a Title to the Buyer, as the Defendant from whom it was taken had or could have made to it;

and if the Marſhal ſhall refuſe to execute a Bill of Sale, he ſhall forfeit Fifty Pounds for every Default.

XXV. § 19. When Goods are taken in Execution, the Marſhal ſhall put up a Publication for Sale thereof, if for Lands, at 80 Days; for Slaves, at 28 Days; Cattle, and other Goods, at 14 Days after taken in Execution, and the Expence to be borne by the Defendant, or other Perſons whoſe Goods they are.

XXVI. § 20. No Execution ſhall be awarded between the laſt Day of *Auguſt*, and firſt of *March*, yearly, except Writs of Poſſeſſion of Lands, Slaves, or Goods, on Actions of Detinue or Replevin, which may be executed at any Time.

XXVII. § 21. All Executions ſhall be levied according to the Directions of this Act, on Penalty of One hundred Pounds for every Neglect or Default of any Officer.

XXVIII. § 22. The Statutes of *Jeofails*, and ſeveral more *Engliſh* Acts, are enacted to be in Force in that Iſland: *See the Act.*

XXIX. § 23. The Judges ſhall proceed and give Judgement in Demurrers according to the Right of the Caſe and Matter in Law, without regard to Defects in Proceedings, except ſuch as the Party demurring ſhall ſpecially mention, with his Demurrer, as a Cauſe of the ſame, with ſome regard to a Statute of the 27th of Queen *Elizabeth*, in Caſes of Demurrers and Pleadings: *See the Act.*

XXX. § 24. This Clauſe limits how far the Statutes of *Jeofails* ſhall be extended, to prevent Judgements being ſtayed for Defects in Proceedings.

XXXI. § 25. This Act ſhall not extend to Appeals of Felony or Murder, or to any Proceſs upon any Penal Statute.

XXXII. § 26. Defendants to Actions, or Plaintiffs in Replevin, may, with Leave of the Court put ſeveral Pleas in one; and in ſeveral Caſes mentioned in the Act the Court ſhall award Coſts at their Diſcretion.

XXXIII. § 27. When Perſons arreſted ſhall give Bail, the Marſhal ſhall, on Demand, aſſign the Bail-bond to the Plaintiff; and if the Bond be forfeited, the Plaintiff may ſue the ſame, and the Court ſhall, by a Rule, give Relief thereon according to Juſtice.

XXXIV. § 28. This Clauſe appoints a Court of Errors, who ſhall be Judges therein; what Oath they ſhall take, and the Manner of Proceedings therein: *See the Act.*

XXXV. § 29. The Court where Execution is to be granted upon Affirmation, Diſcontinuance, or Nonſuit, ſhall iſſue a Writ of Enquiry as well of meſne Profits, as of Damages, and Judgement ſhall be given accordingly; but not to extend to Writs of Error brought by Executors or Adminiſtrators, Actions popular, Penal Laws, Indictments, *&c.*

XXXVI. § 30. If a Writ of Error be quaſhed or diſcontinued, the Plaintiff ſhall pay Coſts, but not be barred from having a new one; and if either Party be diſſatisfied, they may appeal to the Crown, if for above Three hundred Pounds Sterling, and giving Security to proſecute the ſame to Effect; but no Executor or Adminiſtrator ſhall be obliged to give Security on a Writ of Error, unleſs where required by the Laws of *England.*

XXXVII. § 31. All Writs of Error ſhall be ſerved on the ſenior Judge, who ſhall certify the Record and Pleadings in Eight Days, and in Eight Days after the Plaintiff ſhall aſſign and file the Errors, and give the Defendant Notice, who in Eight Days more ſhall plead, demurr, or join in Error, or loſe his Advantage.

XXXVIII. § 32. Titles to Slaves ſhall be tried upon Actions of Trover or Detinue, and not upon Replevin. And all Proceedings to Judgements upon Actions brought before this Act, were to go in the Manner preſcribed in the like Caſes by this Act.

XXXIX. § 33. All Writs of *Scire facias* ſhall be ſerved Six Days before the Court-day on which they are returnable, and be ſerved in the ſame Manner as Writs of Summons; and if the Defendant plead not thereto at the ſame Court, then the Judgement ſhall ſtand.

XL. § 34. Nothing in this Act ſhall affect the proper Perſons, Goods, or Effects of Executors or Adminiſtrators, in any other Manner than they would be affected or liable by the Laws of *England.*

XLI. § 35. No Alarm or Invaſion ſhall diſcontinue any Action, Suit, or Proceſs.

XLII. § 36. *This Clauſe eſtabliſhes a Docket of Fees, ſettled by the Governor and Council, and obliges all Officers to conform thereto, on Penalty of Ten Pounds; but the Docket is not annexed to the Act, as is uſual in ſuch Caſes.*

XLIII. § 37. All Officers ſhall put up a Table of their Fees in their Offices, in publick View, on Penalty of One hundred Pounds for each Neglect.

XLIV. § 38. All Cauſes then depending were to continue in the State they then were till the next Court was to be held, and then were to be proceeded on in the Manner preſcribed in this Act.

N° 121. XLV. *Sect.* 1.

ALL Judges, and other Miniſters of Law, ſhall be liable to Arreſts, and Special Bail, as any other Perſon.

XLVI. § 2. All Writs againſt Chief Juſtices, ſhall be ſigned by the next ſenior Juſtice reſident on the Iſland.

Credit.

Credit. N° 106.

EVERY Merchant or Factor in *Great Britain* who advances any Money for any Perſon reſiding in the Iſland, ſhall or may recover Intereſt for the ſame at the Rate as is allowed by the Laws of *Great Britain*, in the ſame Proportion and Manner as if Bonds had been given for the ſame.

Differences not above 6 l. N° 47. *Sect.* 1.

ALL Treſpaſſes and Matters not exceeding Six Pounds Value, may be determined by any Juſtice of the Peace without Appeal, if under Three Pounds: The Juſtice, on Complaint, ſhall ſummon the Defendant, and on Non-appearance, to iſſue a Warrant to apprehend him, and may fine him for Contempt, not above Ten Shillings, and after Judgement given, may iſſue a Warrant of Diſtreſs for Fine, Damage, and Charges, and for want of Diſtreſs may commit the Defendant till paid.

II. § 2. The Juſtice ſhall have One Shilling and Six Pence for a Warrant, and the Conſtable Nine Pence for ſerving, and Three Pence *per* Mile for travelling: And the Juſtice ſhall keep a Record of all his Proceedings.

N. B. *This Act was deſigned to be repealed by the Act* N° 92; *but that Act not being in Force till confirmed by the Crown, therefore this Act is ſtill in Force: See Fol.* 97, *Sect.* 2.

Eſtates. N° 4 & 5.

THE Iſland having been ſometime under Subjection to the *French*, all the Right and Title of the Inhabitants to their Eſtates were ſuppoſed to be null and void, therefore a new Act was paſſed in 1668, ordaining, That all the late Proprietors of the Lands in the Iſland ſhould be reinveſted in all their Plantations and Immunities which they lately enjoyed, and declaring that they might, when reaſonably deſired, have the ſame confirmed, by Patent or otherwiſe, excepting ſeveral particular Plantations mentioned in the Act, which were therein declared forfeited to the Crown, unleſs ſettled in ſuch Manner and Time as is therein limited.

N° 54. II. *Sect.* 1.

ALL Perſons ſeized in their own Right of any Lands, who had been at the Time of paſſing that Act Ten Years in quiet Poſſeſſion, ſhall be deemed the lawful Owners, to all Intents and Purpoſes, as if it had deſcended to them in the moſt regular Manner.

III. § 2. Perſons under Diſability are to be allowed Time to proſecute their Claims, according to the reſpective Limitations mentioned in the Act, and no longer.

IV. § 3. This Act not to bar any Claim to Land held in Fee-tail, or for Life or Years, if they proſecute their Title in Five Years after the Determination of ſuch Eſtate, and the Commencement of the Claimant's Title.

V. § 4. This Act was not to hinder Proceedings, then in Suit, to recover any Eſtate.

Executions. N° 73.

NO Writ of Execution ſhall be levied upon any Perſon, or their Effects, from and after the laſt Day of *Auguſt*, until the firſt Day of *March*, yearly, on Penalty of Five hundred Pounds, to be levied on the Marſhal, to the Uſe of the Perſon aggrieved.

Fees. N° 10. *Sect.* 1.

THAT the Fees belonging to each Officer may be known, the Secretary's and Marſhal's Fees ſhall be the ſame as mentioned in Two Tables annexed to the Act.

II. § 2. The Tables of Fees were to be fairly wrote, and ſet up in publick View in the Secretary's Office; and that the Secretary or Provoſt-marſhal may truſt any Perſon Fees as they pleaſe: Provided this Act ſhall not prejudice inſolvent Debtors.

N° 89. III. *Sect.* 36.

THIS Clauſe enacts, That the Fees ſettled by the Governor and Council ſhall be the Fees the Officers ſhall take, and none others, on Penalty of Ten Pounds for every Offence.

IV. § 37. All Officers ſhall be obliged to hang up a Table of their Fees for publick View in their reſpective Offices, on Penalty of One hundred Pounds for every Offence.

Foreſtallers N° 3. *in p.* 27.

NO Perſon ſhall ingroſs or foreſtall any Goods to vend in the Iſland before the Iſland is ſatisfied; and if he buy them after the Iſland is ſatisfied, he ſhall ſell them again at the Rate ſuch Goods were formerly ſold at.

N° 4. *in p.* 27. II.

IF any Merchant leave Goods in the Iſland to ſell, the Perſon with whom they are left ſhall not ſell them but after the Rate the firſt Merchant ſold them at.

N° 24. III. *Sect.* 2.

NO Perſon ſhall buy Proviſions brought to the Iſland until 24 Hours after the ſame

ſame is landed, on Penalty of Ten Barrels of Powder.

N° 35. IV. *Sect.* 1.

IF any Perſon go on board a Veſſel in Harbour before the Maſter hath been with the Governor, or within 48 Hours after, he ſhall forfeit 500 *lb.* of Sugar.

Forts. N° 33. *Sect.* 2.

ALL Perſons keeping Houſes of Entertainment in either of the Towns, or within half a Mile of either of them, ſhall pay every Year 2000 *lb.* of Sugar; and all other Perſons following that Employment ſhall pay 1200 *lb.* of Sugar, towards repairing the Forts.

N° 41. II. *Sect.* 1.

EVERY twentieth working Slave in the Iſland ſhall, upon Order of the Governor, be ſent by their Maſters or Overſeers with Tools to *Kingſale Fort* for repairing the ſame, and continue till the Work is finiſhed, on Penalty of 20 *lb.* of Sugar for every Slave's Neglect.

III. § 2. The Lieutenant-governor may alſo when he thinks fit repair the Trenches; and the working Slaves (*as above*) from the Windward, Middle, and *White River* Diviſions, ſhall repair the Trenches and Breaſtworks from the *Old Road River* to the *Cove Caſtle*, on Penalty aforeſaid; and the Slaves in the Northward Diviſion ſhall repair the Trenches from *Old Road River* to *Carr*'s *Bay*, as they have heretofore done, on the ſame Penalty.

IV. § 3. The Negroes ſhall be ſent to work on the Fort alſo, for raiſing a Cave.

V. § 4. The Repreſentatives of each Diviſion ſhall join Families, who have not 20 working Slaves each, in order to furniſh a due Proportion of their Slaves in turn, which ſhall be certified to the Perſon who overſees the Work.

VI. § 5. What Charges ſhall become due to to Handicraftſmen ſhall be paid out of the publick Stock, as alſo for Proviſions allowed when on the Work.

Gaming. N° 34. *Sect.* 3.

IF any Perſon having a Licence to ſell Liquors ſhall ſuffer common Gaming in their Houſes, they ſhall be fined at the Diſcretion of the Court, not exceeding 2000 *lb.* of Sugar: And whoever ſhall, by falſe Dice or other Deceit, win Money or other Things, ſhall forfeit treble the Value, being convicted by Verdict: And no Sum exceeding Forty Shillings, won at Game or Betting, ſhall be recoverable; and all Securities for the ſame ſhall be void.

II. § 5. Penalties ſhall be Half to the Support of the Government, and Half to the Informer.

General Seſſions. N° 86. *Sect.* 1.

A General Seſſions of *Oyer* and *Terminer*, Gaol Delivery, and of the Peace, ſhall be once a Year held at *Plymouth*, to conſiſt of all the Chief Officers in the Iſland, and in the Order as preſcribed in the Act, and the Manner of proceeding therein ſhall be according to the Laws of *Great Britain*, and of the Iſland: And the Lieutenant-governor ſhall iſſue Precepts for ſummoning Officers and Conſtables to attend and return Freeholders for Jurymen.

II. § 2. Juſtices and others ſhall ſend to the Clerk of the Crown Eight Days before Seſſions all Recognizances, Inqueſts, or Depoſitions by them made or taken, on Penalty of Twenty Pounds.

III. § 3. Every Juſtice, or other Officer, or Perſons ſummoned as Jurymen, or other Perſons who ought to attend the Court, and ſhall fail or neglect to appear, or ſhall depart without Leave of the Court, ſhall forfeit Five Pounds.

IV. § 4. All Perſons bound to proſecute ſhall apply to the Attorney or Solicitor-general, King's Council, or Clerk of the Crown, Seven Days before Seſſions, and give Information, in order to the drawing Indictments or Informations, on Penalty of Ten Pounds.

V. § 5. The Charges of the Court, and the Entertainment of the Court and Jury, not exceeding Fifty Pounds, ſhall be paid out of the Fines.

VI. § 6. The Clerk of the Crown ſhall, within Three Weeks after the Seſſions, return to the Lieutenant-governor, or Court of Exchequer, an Account of all Fines and Eſtreats at the Seſſions, on Penalty of Fifty Pounds for every Neglect.

VII. § 7. All Fines and Forfeitures ariſing by virtue of this Act, ſhall be to the repairing the Fortifications, and paid into the Hands of the Treaſurer.

N° 99. VIII.

THIS Act explains the foregoing, with regard to the Perſons who ſhall preſide in the ſaid Court, or make a Quorum *to proceed on Buſineſs.*

Governor. N° 29. *Sect.* 2.

THE Governor, Secretary, and Marſhal ſhall be free from all Taxes, either in their real or perſonal Eſtates.

N° 102. II. *Sect.* 1.

THIS *Clauſe gives to Governor* Mathews 300 l. per Annum, *additional Salary, during his Government.*

III. § 2. The Duties on Liquors and Licences are appropriated to pay the ſaid 300 *l. per Annum.*

IV. § 3. If the aforeſaid Duties fall ſhort of 300 *l. per Annum*, then every Owner of a Wind-mill ſhall pay *per Annum*, ——— 2 0 0
a Water-mill, ——— 1 10 0
a Cattle-mill, ——— 1 0 0
and if no Deficiency, then it ſhall go to the Repairs of the Fortifications.

V. § 4. Cattle-mills near to, and a Help to a Wind or Water-mill, are excuſed.

VI. § 5. If the Duties all prove deficient, the Treaſurer ſhall make up the 300 *l. per Annum* out of any Poll Tax, or other Tax in his Hands.

VII. § 6. All Money raiſed by the aforeſaid Duties ſhall be applied to pay the 300 *l. per Annum*, and the Overplus to repair the Fortifications.

VIII. § 7. If the Naval Officer ſhall clear any Veſſel without a Certificate from the Treaſurer, that the Maſter has paid the Liquor Duty, he ſhall forfeit Twenty Pounds.

IX. § 8. If any Perſon ſhall refuſe to pay the Duties in 20 Days after due, the Treaſurer ſhall levy the ſame by his own Warrant.

Highways and Roads. N° 41. *Sect.* 6.

UPON the Governor's Order, the Juſtices in each Diviſion ſhall iſſue their Warrants to the Conſtables to ſummon the Inhabitants to ſend all the working Negroes in the Windward Diviſion to repair the Highways from *Nine-turn Gutt* to *Bottomleſs Gutt*, and ſo to *Tarr River*; and thoſe of the *White River* Diviſion to repair from *Tarr River* to *Read*'s *Gutt*; the Inhabitants of Middle Diviſion to repair from *Nine-turn Gutt* to the *Old Road River*, and *Read*'s *Gutt*; the Inhabitants of that Part of the Northward Diviſion that lies between the *Old Road River* and *Soldiers Gutt*, to repair from the ſaid River to the ſaid Gutt; and the reſt of the Inhabitants of the Northward Diviſion to repair from the ſaid Gutt to *Carr*'s *Bay*, and ſo to *Bottomleſs Gutt*, on Penalty of 20 *lb.* of Sugar for every Negro neglected to be ſent.

II. § 7. The Highways in each Diviſion ſhall, when repaired, be viewed by the Repreſentatives; and where the Work appears to be defective, it ſhall be amended by thoſe whoſe Fault it was.

III. § 8. No Perſon ſhall be diſtrained on, for Neglect of Negroes who are ſick, lame, or run away.

IV. § 9. The Treaſurer ſhall keep a true Account of all Forfeitures received, and render an Account thereof upon Oath.

N. B. *The foregoing Clauſes for repairing the Highways ſeem to be all re-enacted in the following; but the foregoing does not appear to be either expired or repealed.*

N° 46. V. *Sect.* 1.

THE Freeholders of each Pariſh or Diviſion ſhall every *Eaſter* chooſe Two * Surveyors for mending the Highways that Year; and if either of them neglect his Duty, or refuſe to ſerve, he ſhall forfeit Ten Pounds to the Poor of the Pariſh, or Uſe of the Church; and if the Freeholders neglect to meet or chooſe Surveyors, the * Judge and Aſſemblymen ſhall chooſe them, and publick Notice ſhall be given in the Church, that all may know who are choſen; and when the Highways are to be repaired, the Surveyors ſhall give a Week's Notice in the Church to ſend Negroes to work in their reſpective Diviſions, as are preſcribed in the Act, on Penalty of * Two Shillings and Six Pence for each Day each Negro ſhall neglect to be ſent.

* *By the Act* N° 116, *Sect.* 9, *appoints an additional Surveyor to be choſen for each Pariſh.* Vide infra.

* *And by the Act* N° 123, *the Juſtices of the Grand Seſſions may appoint Surveyors in any Place where the Inhabitants have neglected.* Vide infra.

* *This Penalty of* 2 s. *and* 6 d. *is explained by the Act* N° 116. *Sect.* 1.

VI. § 2. Poſſeſſors of Land ſhall fence their Land from the Highways on each Side, on Penalty of bearing the Damage done them by Cattle paſſing ſuch Roads, without any manner of Recompence.

VII. § 3. All cartable Roads ſhall be 30 Foot wide; and all Highways not then fenced, and in Land eſteemed even, ſhall be that Breadth; and Highways on Sides of Hills not cartable, nor fenced before that Time, ſhall be 20 Foot wide; but if cartable, 30 Foot between the Fences.

VIII. § 4. Highways not of ſuch Breadth, the Surveyors may cauſe the Fences to be broken down, to enlarge or turn the ſame; and any Perſon oppoſing them ſhall forfeit Fifty Pounds for every 100 Yards prevented to be ſo opened, and ſo for every 12 Months the ſame ſhall continue ſo.

IX. § 5. Where any Perſon ſhall turn a Water-courſe or Gutter, or ſuffer it to overflow a Highway, he ſhall forfeit Five Pounds a Month for each Gutter or Water-courſe that ſhall ſo impair a Highway.

This Section is amended by Sect. 8. *in Act* N° 116.

X. § 6. Where any Water runneth through any Perſon's Land, they ſhall not cut down any

any Woods or Buſhes, or ſet fire to them, within 20 Foot of each Side, unleſs they plant Trees to ſhade the Water: And where any Spring riſeth or runneth through any Paſture, the ſtanding Wood or Buſhes ſhall be let ſtand 30 Foot on each Side, on Penalty of Fifty Pounds for every 50 Foot of Ground cleared, to be collected by the Treaſurer, for the Uſe of the Publick.

N° 116. XI. *Sect.* 1.

EVERY Perſon neglecting to ſend their Quota of working Negroes, when duly ſummoned, to work on the Highways, ſhall forfeit Two Shillings and Six Pence *per Diem* for each Negro neglected to be ſent.

XII. § 2. No Surveyor ſhall ſummon a Planter to ſend more than half his Field Negroes to repair Highways.

XIII. § 3. Negroes ſent to repair Highways ſhall be of the beſt and ableſt working Slaves, and carry Houghs or Baskets with them, and other Tools, according to the Proportions mentioned in the Act, and ſhall continue working till diſcharged by the Surveyor.

XIV. § 4. On Diſputes concerning the Number of Slaves to be ſent, it ſhall lie upon the Oath of the Owner; and if he refuſe to ſwear, he ſhall be aſſeſſed according to the Number he ſtood charged with at the laſt Levy.

XV. § 5. To prevent Encroachments upon Highways, the Surveyors ſhall be ſworn, according to the Form in the Act, and a Certificate thereof lodged in the Secretary's Office, on Penalty of Ten Pounds on any Surveyor neglecting.

XVI. § 6. Surveyors of the Highways ſhall have Power to act as ſoon as ſworn, the ſame as if Notice had been given in the Church.

XVII. § 7. When Highways want repairing the Conſtables, by virtue of the Surveyor's Warrant, ſhall ſummon the Planters to attend with their Quota of Slaves, and repair the Highways; and Notice left at their Houſe ſhall be deemed as good as if given in the Church; and the Conſtable is to have Six Pence from the Treaſurer for each Perſon ſummoned.

XVIII. § 1. The Forfeiture of Five Pounds for turning Water-courſes, or ſuffering them to run into the Highways, as by a former Act, ſhall be recovered before any Juſtice, by the Oath of the Surveyor, and applied to the Uſe of the Fortifications.

XIX. § 9. An additional Surveyor ſhall be elected for each Pariſh or Diviſion, who ſhall have the ſame Power as the other Surveyors, and liable to the ſame Penalties: And the Town of *Plymouth* ſhall appoint Two Surveyors, who ſhall alſo have the ſame Power, and be liable to the ſame Penalties, and may ſummon the Inhabitants to attend with three Fourths of their Slaves to clean the Streets and Alleys in the ſame, under the ſame Penalties for Neglect as are impoſed by Law for neglecting to attend or work on the Highways of the Iſland.

XX. § 10. If a Juſtice neglect his Duty, he ſhall forfeit Fifty Pounds; to be recovered in any Court, Half to the Informer, and Half to the Uſe of the Fortifications.

XXI. § 11. Juſtices or Surveyors ſued, may plead the General Iſſue for any thing done in putting this Act in Execution, and recover treble Coſts.

N° 123. XXII.

IF any Pariſh or Diviſion in the Iſland neglect to appoint Surveyors of the Highways (*as is directed by the foregoing Acts*) the Juſtices of the Court of Grand Seſſions may appoint them, and the like for the Town of *Plymouth*, who ſhall have the ſame Power, and be ſubject to the ſame Penalties as if they had been appointed by the reſpective Pariſhes or Diviſions, according to the Directions of the foregoing Acts.

Impoſt. N° 1, 2, & 3.

AN *Act for granting a Duty or Impoſt of Four and a Half* per Cent. *upon all the Growth of the Iſland exported, to be paid by the Exporter to the Crown, being ſuppoſed to be obſolete, by reaſon of the Iſland having been under Subjection to a Foreign Power, was therefore repealed, and a new Act paſſed in* 1668, N° 3, *re-granting the ſame Duty to the Crown for ever, with a Penalty upon every Perſon ſhipping Goods (without due Entry thereof made, and paying or ſecuring the Duty) of the Loſs of all ſuch Goods, Half to the Crown, and Half to the Informer.*

N° 31. II. *Sect.* 1.

ALL Ships or other Veſſels trading to the Iſland ſhall pay an Impoſt of Powder on Exportation, *viz.*

For every Ton of Sugar ſhall be paid ——— } *Of good Powder,* 1 *lb.*
Every 1500 *lb.* of Tobacco, ——— *ditto.*
Every Barrel of Indigo, ——— ½ *lb.*
and ſo in proportion for greater or leſſer Quantities.

III. § 2. And every Maſter of a Veſſel, before he depart the Harbour or Bay, ſhall give a juſt Account of all the Sugar, Tobacco, and Indigo that he has received on board, and ſhall pay the Duty for the ſame.

N° 66. IV. *Sect.* 1.

REpeals *an Act paſſed in* 1712, for raiſing an Impoſt of Powder upon the Tonnage of Shipping.

V. § 2.

V. § 2. No Veſſel trading to the Iſland ſhall pay Powder-money, unleſs ſhe take on board ſome of the Growth of the Iſland; but ſuch as do take on board any Commodities of the Growth of the Iſland ſhall pay 1 *lb.* of Piſtol Powder for every Ton of Goods, Two Hogſheads, or Two Tierces, or 2000 *lb.* of Sugar, or a Barrel of Indigo, ſhall be deemed a Ton; and for want of Powder ſhall pay to the Store-keeper Two Shillings and Six Pence in Money, for each Pound of Powder ſo wanting; and on Neglect of paying the ſame, the Maſter of the Veſſel ſhall be committed till it be paid.

VI. § 3. The Store-keeper ſhall keep a fair Book of Accounts of the Tons of Goods exported, and of Powder, and Money received; and he ſhall once a Year, or oftner, if required, account before the Governor, Council, and Aſſembly; and if he ſuſpect any Maſter of a Veſſel has not made a true Report of his Cargo to be exported, he ſhall apply for a Warrant, and oblige him to ſwear to his Report; and if a Report is found ſhort, ſuch Maſter ſhall pay 3 *lb.* of Powder for every Ton ſhort entered.

VII. § 4. The Keeper of the Stores ſhall be annually nominated by the Aſſembly, and with the Conſent of the Lieutenant-governor and Council, recommended to the Captain-general for Confirmation.

VIII. § 5. The Store-keeper ſhall not ſell, or take Money or Goods in lieu of Powder, Fire-arms, or other Stores under his Care, unleſs as aforeſaid, without the Conſent of the Governor, Council, and Aſſembly in writing; and if he do make away any Powder or other Stores in his Charge to the Value of Thirty Shillings, he ſhall for each Offence ſuffer Six Months Impriſonment.

Indigo and Sugar. N° 20. *Sect.* 1.

THIS Clauſe appointed Viewers of Indigo and Sugar, paid between Party and Party, whoſe Judgement was to be allowed upon any Diſpute; but this Act not providing a Succeſſion of Viewers, is become out of Uſe.

II. § 2. *By this Clauſe no Sugar was to be ſold under Fifteen Shillings* per *Hundred.*

N° 66. III.

FOR laying an Impoſt of 1 lb. *of Piſtol Powder, or* 2 s. 6 d. *in Money upon every Ton of Goods of the Growth of the Iſland exported:*

IV. § 2. *Enacts*, That every Barrel of Indigo ſhall be deemed equal to a Ton of Sugar, and ſhall pay accordingly.

N° 70. V. *Sect.* 1.

IF any Perſon make or diſpoſe of any bad or corrupt Indigo, or mixt with baſe Stuff, Mud, or Dirt, or too much Lime-water, or overſteeping the Weed, or not bating the Indigo-water, he ſhall forfeit all his Indigo, to be burnt by the Marſhal, and Twenty Pounds for every Offence, upon Complaint to any Juſtice of Peace, who ſhall iſſue his Warrant to bring the Offender before him, and on Conviction to iſſue his Warrant to levy the Penalty, and for want of Effects to commit the Offender Six Months to Gaol, or till he pay the Fine.

VI. § 2. Whoever ſhall receive or buy corrupt Indigo, or ſhall not ſeize it when offered, he ſhall forfeit Twenty Pounds, to be recovered as aforeſaid: Half of the Fines to the Publick, and the other Half to the Informer.

VII. § 3. The Juſtice, with Two Merchants or Tradeſmen, ſhall judge whether ſuch Indigo be good or not.

Ingroſſers. N° 3. *in p.* 27.

NO Perſon ſhall ingroſs any Goods to vend the ſame in the Iſland, before the Iſland is ſatisfied; and if he buy any after the Iſland is ſatisfied, he ſhall not ſell them again but at the Rates ſuch Goods were formerly ſold.

N° 4. *in p.* 27. II.

IF any Merchant leave Goods with any Perſon to ſell for him, ſuch Perſon ſhall not ſell them but after the Rate the firſt Merchant ſold them at.

Intereſt of Money. N° 106.

EVERY Merchant or Factor in *Great Britain* who advances any Money for any Perſon reſiding in *Montſerrat*, may recover Intereſt for the ſame at the ſame Rate as is allowed by the Laws of *Great Britain*, in the ſame Manner as if Bonds had been given for the ſame.

N° 107. II.

NO Perſon ſhall receive for the Loan of any Money or Goods whatever, above the Value of Eight *per Cent.* and all Bonds or Contracts made for any greater Intereſt ſhall be void.

Juries. N° 12. *Sect.* 1.

NO Perſon ſhall have a Trial for a Debt or Contract by a Jury, unleſs the ſame amount to the full Value of 1000 *lb.* of Sugar or upwards, and that the Defendant in the Action agree to have it tried by a Jury.

II. § 2. All Actions under 1000 *lb.* of Sugar ſhall remain in the Judgement of the Governor,

vernor, or his Council, or if they pleaſe, in the Judgement of a Juſtice.

III. § 3. Every Perſon craving a Jury when his Action exceeds 1000 *lb.* of Sugar, if the Court hath not ſo many Jury Actions as will defray the Expence of Secretary and Marſhal, then ſuch Perſon ſo requiring and obtaining a Jury, ſhall ſatisfy the Secretary and Marſhal for their Trouble, with Ten *per Cent.* Profit.

N° 76. IV.

NO Juryman ſhall be levied on by virtue of any Writ out of any Court, nor on their Servants or Slaves waiting on them, or on the Horſes they ride, on publick Days, when ſummoned on Duty, nor within 24 Hours before or after the Time of Attendance.

Judges. N° 121. *Sect.* 1.

ALL Judges, and other Miniſters of Law, ſhall be liable to Arreſts and Special Bail, as any other Perſon.

II. § 2. All Writs againſt Chief Juſtices ſhall be ſigned by the next ſenior Juſtice reſident on the Iſland.

Labourers Wages. N° 24. *Sect.* 1.

THE Juſtices of Peace in their ſeveral Diviſions are impowered to order and determine Labourers Wages, if it exceed not 1000 *lb.* of Sugar, and Execution is to proceed thereon.

N° 91. II. *Sect.* 1.

ALL Manner of Debts due to Labourers, not above Six Pounds, may be determined by a Juſtice of Peace, who may ſummon the Defendant; and in caſe of Non-appearance, or otherwiſe, and the Plaintiff prove his Debt by his own Oath or Evidence, the Juſtice ſhall iſſue Execution againſt the Defendant, and for want of Diſtreſs, to commit the Defendant to Gaol till the Debt and Charges be paid:

	s.	d.
And the Fees ſhall be to the Juſtice for a Warrant or Execution, each,	1	6
Officer for ſerving it,	0	9
with Three Pence *per* Mile for travelling, and for levying Executions,	1	6

And the Juſtice ſhall record his Proceedings.

III. § 2. Every Juſtice once a Year ſhall return a Record of all ſuch Proceedings into the Secretary's Office, on Penalty of Five Pounds.

Law-ſuits and Limitations. N° 90. *Sect.* 1.

ALL Writs of *Formedon* ſued for Lands then claimed, ſhould be ſued in Seven Years after paſſing the Act.

II. § 2. Provided the Perſon were then living in the Government: And that no ſuch Perſon, or their Heirs, ſhould maintain any ſuch Writ thereafter, unleſs the ſame be ſued within Seven Years after Cauſe of Action: And no Perſon who has any Title of Entry into any Lands, ſhall enter into the ſame, unleſs within Seven Years next after ſuch Title of Entry accrued.

III. § 3. Proviſo in favour of Perſons under Diſability, who may ſue within Seven Years after ſuch Diſability is removed.

IV. § 4. All Actions of Account, and upon the Caſe (except ſuch as concern Trade and Merchandize, or for Slander, Actions for Treſpaſes, Detinue, and Replevin for Goods) ſhall be proſecuted within Four Years after the Cauſe of Action: And all Actions of Treſpaſs of Aſſault, Battery, Wounding, or Impriſonment, in Three Years after the Cauſe of Action: All Actions upon the Caſe for Words, within Two Years after the Words ſpoken, and not after: *But this Clauſe ſeems deficient, in not preſcribing any Time for proſecuting Actions of Debt upon lending or Contract without Specialty, or for Arrears of Rent, although theſe Actions are named in the Preamble of the Clauſe.*

V. § 5. If in any of the ſaid Actions the Suit be reverſed by Error, or in Arreſt of Judgement, the Judgement be given againſt the Plaintiff, or the Defendant be outlawed, and that reverſed; in all ſuch Caſes the Plaintiff may commence new Actions from time to time, within a Year after ſuch Judgement or Outlawry be reverſed.

VI. § 6. In Actions of Treſpaſs wherein the Defendant diſclaims, or Iſſue found for the Defendant, or Plaintiff nonſuited, he ſhall be barred from the Action, and all other Suits for the ſame.

VII. § 7. In Action upon the Caſe for Slander, if the Jury aſſeſs under Forty Shillings Damage, the Plaintiff ſhall recover no more Coſts than the Damage aſſeſſed ſhall amount to.

VIII. § 8. Perſons under Diſability to ſue any of the foregoing Actions may ſue within the ſame limited Time after their Diſability is removed, as they might at the Time of Action accrued, if they had been free from ſuch Diſability.

Liquors and Licences. N° 13. *Sect.* 1.

MErchants importing Liquors ſhall not retale the ſame in leſs Quantities than Three Gallons, on Penalty of 1000 *lb.* of Sugar, except ſuch as keep publick Houſes.

II. § 2. Perſons keeping publick Houſes ſhall not ſell their Liquors at any higher Rates than are preſcribed in this Act, on Penalty of 1000 *lb.* of Sugar.

III. § 3. If any Keeper of a publick Houſe refuſe to ſell his Liquors at the Prices preſcribed in the Act, he ſhall forfeit 1000 *lb.* of Sugar, and loſe his Licence.

N° 19. § 1.

N° 19. IV. *Sect.* 1.

THIS Clauſe ſets forth, that the Inhabitants of the Iſland had imported or bought Liquors from on board Veſſels without paying the Impoſt Duties for the ſame, as other Importers were obliged to pay by a former Act, which by this Clauſe is intended to be prevented, but the recited former Act not being extant, the Duty itſelf does not appear.

V. § 2. No Perſon ſhall retale Liquors without the Governor's Licence, on Penalty of 1000*lb.* of Sugar, and all the Liquors found in his Cuſtody, or proved to have been in his Poſſeſſion: Provided Rum-makers, not keeping Tippling Houſes, ſhall be free of this Penalty.

N° 33. VI. *Sect.* 2.

ALL Perſons keeping Houſes of Entertainment in either of the Towns, or within half a Mile of either of them, ſhall pay every Year, towards repairing the Forts, 2000*lb.* of Sugar; and all others following the ſame Employment, 1200 *lb.* of Sugar.

N° 34. VII. *Sect.* 1.

NO Perſon ſhall have a Licence to retale ſtrong Liquors without taking the State Oaths, and a Certificate from Two Councillors of their Qualification, and of having given Security in the Secretary's Office of 5000*lb.* of Sugar, for keeping an orderly Houſe, according to the Laws of *England*, and of that Iſland; and every Perſon ſelling Liquors without Licence, ſhall forfeit 10,000 *lb.* of Sugar for each Offence, and if not able to pay, Impriſonment for Six Months; and all Licences ſhall determine on *Chriſtmas Day*, yearly; but ſuch Retailers as live in the Limits of *White River* Diviſion are excuſed from taking the Oaths.

VIII. § 2. If any ſuch licenſed Perſon ſhall ſuffer Perſons to tipple in their Houſes during the Time of Divine Service, he ſhall forfeit 200 *lb.* of Sugar for each Offence, and each Perſon tippling 50 *lb.* to be levied by a Juſtice's Warrant.

IX. § 3. If any licenſed Perſon ſuffer Gaming in their Houſes, they ſhall be fined at the Diſcretion of the Court, not above 2000 *lb.* of Sugar: This ſhall not hinder the Makers of Rum from ſelling the ſame unmixt.

X. § 4. No Perſon ſelling ſtrong Liquors by retale ſhall take above the following Prices;

	s.	*d.*
Engliſh or *Iriſh* Beer *per* Quart, ——	0	7½
Brandy *per* Quart, ——	2	6
Madeira Wine, ——	1	6

and ſo in proportion for greater or leſſer Quantities, on Penalty of 400 *lb.* of Sugar, to be levied by a Juſtice's Warrant, Half to the Poor, and Half to the Informer.

XI. § 5. Penalties not mentioned how to be diſpoſed of, ſhall be Half to the Government, and Half to the Informer.

XII. § 6. All Perſons for Licences to retale Liquors ſhall pay within the Towns of *Plymouth* or *Kingſale*, yearly, 3000 *lb.* of Sugar, and in all other Parts of the Iſland 1500 *lb.* of Sugar, towards Support of the Government.

Lord's Day. N° 1. *in p.* 26.

NO Perſon ſhall violate the Duties of the Sabbath, by Gaming, Drinking, or Week-day Labour, or by Crabbing, Shooting, or any ſuch indecent Practices, on Penalty of 1000 *lb.* of Tobacco: Provided, that Acts of Neceſſity ſhall be at the Cenſure of the Governor and Council.

N° 9. *in p.* 30. II.

IF any Slave go out of his Maſter's Plantation upon the Lord's Day without his Maſter's Licence, he may be whipt, and ſent home again.

N° 10. *in the ſame Page is much to the ſame Purpoſe.*

N° 36. III. *Sect.* 3.

IF any Owner of a Plantation ſuffer his Negroes to wander abroad on a *Sunday* without a Ticket, he ſhall forfeit 300 *lb.* of Sugar, and his Slave ſhall be whipt.

N° 112. IV. *Sect.* 2.

IF any Slave ſhall keep Market, and ſell Proviſions, or other Goods on a *Sunday*, any Perſon may take ſuch Goods from a Slave for their own Uſe, and may whip the Slave.

V. § 3. If any Perſon ſhall buy or receive Proviſions, or other Goods from a Slave, or ſhall ſell a Slave any Liquors or other Goods on a *Sunday*, he ſhall forfeit Five Pounds.

VI. § 4. No Perſon ſhall permit his Slave to go to a Town on a *Sunday* without a Ticket, unleſs to wait on his Perſon: And Conſtables ſhall examine Slaves for Tickets on *Sundays*, and if they find none, then to whip them.

Marriages. N° 29. *Sect.* 1.

THE Children born of Parents who had been married (before the Publication of this Act) by Juſtices of the Peace, are deemed legitimate, and ſhall enjoy all the Privileges as any other Children lawfully begotten.

N° 120. II.

NO Perſon whatſoever ſhall join together any Couple in Wedlock before they are called Three *Sundays* in the Church, or have

a Licence out of the Secretary's Office, on Penalty of Four hundred Pounds, Half to the Informer, and Half to the Repairs of the Churches.

Marſhals. N° 7. *in p.* 28.

THE Marſhal ſhall attend the Governor once in 24 Hours, and repair to the Office to know what Order is for him, and to ſummon Perſons to Actions Three Days before each Court, and to ſummon Councils; and ſhall uſe Priſoners in his Charge honeſtly; and ſhall conduct Perſons coming on ſhore, to the Governor, *&c.*

N° 29. II. *Sect.* 2.

THE Governor, Secretary, and Marſhal, ſhall be free from all Taxes, either in their real or perſonal Eſtates.

Maſters of Ships. N° 6. *in p.* 28.

ALL Maſters of Veſſels that come to anchor, ſhall in 24 Hours enter into Bond in the Secretary's Office, not to tranſport any Perſon off the Iſland without the Governor's Licence.

N° 35. II. *Sect.* 1.

NO Perſon ſhall preſume to go aboard any Veſſel entering Harbour till the Marſhal has brought the Maſter to the Governor, or within 48 Hours after the Maſter has made ſuch Appearance, on Penalty of 500 *lb.* of Sugar; and in caſe of Diſability, to be impriſoned Six Months, or till he pay the Fine, which ſhall be tried and heard by a Juſtice of Peace, on Summons, who alſo may fine any Perſon accuſed 100 *lb.* of Sugar for Contempt, if they do not appear on Summons.

III. § 2. If any Maſter, Merchant, Factor, or other Perſon, treat or obtain a Promiſe for Goods of Ten Shillings Value or Freight, before the Maſter has been with the Governor, ſuch Offender ſhall forfeit 10,000 *lb.* of Sugar, to be recovered in a Court of Record.

Militia. N° 38. *Sect.* 1.

EVERY Perſon, from Fifteen to Sixty Years of Age, ſhall be inliſted under the Captain of the Place of their Abode, in Foot or Horſe, in Six Weeks, on Penalty of 300 *lb.* of Sugar for every Six Weeks they remain unliſted: And every Foot Soldier ſhall appear at Time and Place appointed, accoutred as in the Act is appointed, on Penalty of 50 *lb.* of Sugar for not appearing, and of 25 *lb.* of Sugar for a Deficiency in Accoutrements; and a Trooper the ſame: And all ſuch Soldiers ſhall keep in Store at their Places of Abode Accoutrements, with Powder and Ball (*as mentioned in the Act*) and bring them into the Field when commanded, on Penalty of 50 *lb.* of Sugar.

II. § 2. No Perſon ſhall ſuffer for want of Arms, until he is informed where ſuch Arms are to be bought; but after ſuch Information they ſhall ſupply themſelves in Ten Days, or ſuffer the Penalties mentioned in the foregoing Clauſe for Deficiencies.

III. § 3. No Perſon liſted ſhall depart without a Diſcharge from his Commander, on Penalty of 300 *lb.* of Sugar; which Diſcharge ſhall not be refuſed upon removing to another Diviſion, on Penalty of 600 *lb.* of Sugar.

IV. § 4. The Captains every Three Months ſhall ſearch their ſeveral Diviſions, to ſee if all be liſted, armed, and equipt; and every Six Months return Defaulters to the Governor.

V. § 5. If a Captain be negligent, the Court-martial ſhall fine him Ten Pounds Sterling.

VI. § 6. If a Covenant Servant incur the Penalties appointed by this Act, his Maſter ſhall pay it, unleſs it be the Servant's Fault, and then he ſhall be whipt.

VII. § 7. Negligent Officers ſhall be liable to Penalties at the Diſcretion of a Court-martial.

VIII. § 8. Every Perſon appointed a Military Officer, and refuſing to act, or quiting the Service, ſhall forfeit

if a Lieutenant-colonel,	10,000	*lb. of Sugar.*
a Major,	8000	
a Captain,	6000	
a Lieutenant,	4000	
an Enſign,	3000	
and a Serjeant,	2000	

IX. § 9. There ſhall be but one Troop of 50 Horſe, beſides the Officers; and only thoſe who have the beſt Horſes, and well accoutred, ſhall be liſted in it; and all others ſhall be inliſted in the Foot of the Diviſion where they reſide.

X. § 10. All Vacancies that happen in the Troop, the Captain ſhall liſt more in.

XI. § 11. Perſons neglecting or refuſing Guard, when appointed by a ſuperior Officer, ſhall forfeit for the firſt Offence 50 *lb.* of Sugar, for the ſecond, 100 *lb.* of Sugar, for the third Offence, as ſhall be adjudged by a Court-martial.

XII. § 12. The Captain of the Troop ſhall every Night in Time of War, and once in Three Months in Time of Peace, appoint Rounds to be rid by the Troopers, Two at leaſt to a Round, to examine each Guard, and if they find any Perſon negligent, they ſhall inform their ſuperior Officer; and if a Trooper neglect to ride, or to inform of Defaulters, he ſhall forfeit for the firſt Offence 100 *lb.* of Sugar, and for every other Offence afterwards 200 *lb.*

XIII. § 13. Any Perſon allowed to ſend a Deputy to ride the Rounds or Guard in his Place.

XIV. § 14. In Time of War ſtanding Guards ſhall be kept at *Bransby*'s *Bay*, the *Old Road*, and *Carl Bay*, to conſiſt of Four Men at leaſt

at

at each Place, to be paid by the Publick; and the chief Military Officer in each Diviſion is impowered to hire Men for that Service.

XV. § 15. Fines mentioned in this Act, and not appropriated, ſhall be, all ſuch as relate to any Perſon under the Degree of a Captain, ſhall be paid to the Captains, towards defraying the Charges of the Troop or Company, and be levied by the Captain's Warrant before next Exerciſing Day; and where no Diſtreſs is found, the Offenders ſhall ride the Wooden Horſe, or be tied Neck and Heels, not above an Hour, at the Captain's Diſcretion; and all other Penalties ſhall go to the Uſe of the Publick, for Support of the Government.

XVI. § 16. Every Captain of a Company or Troop ſhall keep a juſt Account of all Forfeitures he receives; and when he has received to the Value of 2000 *lb.* of Sugar, he ſhall furniſh his Company with new Colours and Drums, leading Staff, and Halberts, and the Captain of the Troop with new Trumpets, and Standard, on Penalty of 2000 *lb.* of Sugar for every Six Months Neglect; and all Forfeitures above the 2000 *lb.* ſhall be to defray other Charges of the Company.

XVII. § 17. Once every Month, if the Governor give Order, each Company, and the Troop, ſhall meet to be muſtered and exerciſed.

XVIII. § 18. When the Officers and Soldiers are under Arms they ſhall keep all the Articles of War, and be obedient to their Officers; which Articles of War the Governor, with a Council of War, are impowered to eſtabliſh; and the Lieutenant-governor ſhall give Copies of them to all the Captains, to be read to their Companies: And if any Officer or Soldier ſhall endeavour, when out of Duty, to take Revenge for what was done on Duty, he ſhall be puniſhed at the Diſcretion of the Court-martial.

XIX. § 19. Once in each Year, if required, each Captain ſhall give the Governor a Muſter-roll of his Company: And if any Perſon be wounded or diſabled in the Service, he ſhall be cured and maintained by the publick Treaſury: And if any Perſon be ſued for putting this Act in Execution, he may plead the General Iſſue, and give the Act in Evidence, and recover Coſts and treble Damages.

XX. § 20. No Perſon ſhall ſuffer Penalties for not being liſted, until he be warned by ſome Officer of the Diviſion where he reſides: And none of the Council or Aſſembly, or Officers of the Revenue, Secretary, or Marſhal of the Iſland, or any of the Clergy, ſhall incur the Penalties in this Act, unleſs they be Commiſſion Officers.

XXI. § 21. Alarms ſhall be made by Two great Guns from a Fort, and within Land, by blowing up a Trunkſhel, which every Houſholder is obliged to have in his Houſe, and cauſe it to be blown up on hearing of an Alarm, on Penalty of 100 *lb.* of Sugar for every Month he ſhall be without one, and the ſame for not blowing it up.

XXII. § 22. No Perſon ſhall be levied on for more than 2000 *lb.* of Sugar at one time: And no Perſon ſhall fire ſmall Arms after Eight of the Clock at Night, except on Alarms, or in Service, on Penalty of 20 *lb.* of Sugar: And no Maſter of a Ship ſhall fire Guns after Eight of the Clock, on Penalty of 300 *lb.* of Sugar: But this ſhall not extend to Captains of Ships of War, for firing Watch Guns.

Miniſters. N° 6. *Sect.* 1.

ORdains, That an able Miniſter ſhould be procured for the Iſland, according to the Canons of the Church of *England*, and the Laws of the Realm.

II. § 2. And for his Maintenance he was to have 14,000 *lb.* of Sugar, or the Value thereof in Tobacco, Cotton-wooll, or Indigo, raiſed upon the Inhabitants yearly by way of Levy, payable to the Treaſurer, and by him to the Miniſter; provided ſuch Miniſter ſhould not deny to baptize Infants brought to him at Church without Fee, and the ſame for Churching of Women; and ſhould not demand above 100 *lb.* of Sugar for marrying any Couple; and bury any of the Inhabitants alſo without Fee, but might agree with any Perſon for a Fee for preaching a Funeral Sermon.

Oppobrious Language. N° 11. *Sect.* 1.

IF any Perſon, Inhabitant or Stranger, ſhall, by Writing or Words, abuſe any Gentleman of the Council, he ſhall forfeit 5000 *lb.* of Sugar to the Publick; and if he ſhall abuſe an Aſſemblyman, or publick Officer, or Inhabitant of the Iſland, he ſhall forfeit 500 *lb.* of Sugar; and if the Offender is not able to pay, he ſhall ſuffer Corporal Puniſhment, at the Diſcretion of the Governor in Council; Conviction ſhall be before the Governor, or Two of the Council, or One Juſtice of the Peace, by the Oath of One or Two credible Witneſſes.

II. § 2. Sets forth ſeveral odious Diſtinctions uſed by *Engliſh*, *Scotch*, and *Iriſh*, reflecting on each other, and therefore ordains, That if any ſuch or the like Reflections are uſed in the Iſland by any Perſon, Stranger or Foreigner, the Offenders ſhall be proſecuted as Breakers of the publick Peace, and ſhall abide ſuch Fines or Puniſhments as ſhall be impoſed on them by the Governor and Council; and if any Murders, Riots, or unlawful Aſſemblies ſhould ariſe upon ſuch Words, the Offender ſhall ſuffer as a Mutineer and Diſturber of the publick Peace, and ſhall be proceeded againſt in ſuch Manner as uſually Mutineers are by Law proceeded againſt.

Pariſh Church. N° 105. *Sect.* 1.

A Sexton to be choſen to clean the Church every Week, and keep the Doors and Windows ſhut, for which he ſhall have Twelve Pounds *per Annum* Salary.

II. § 2. If any Negro take away or pull down any Stones of the Incloſure of the Church, and old Church Yard, he ſhall have 39 Laſhes; and if any Cattle are taken within the Incloſure or old Church Yard, the Owner ſhall pay Three Shillings *per* Head, and the Treaſurer ſhall detain ſuch Cattle till paid.

III. § 3. No Corpſe ſhall be interred within the Walls of the Church, or the Incloſure thereof, on Penalty of One hundred Pounds, and Fifty Pounds Penalty on the Parſon, or others that buries them.

Phyſicians and Surgeons. N° 25. *Sect.* 1.

IF any Perſon uſing the Practice of Phyſick or Surgery ſhall refuſe to take in Hand (and under God cure) any of the Inhabitants, or others, of the *Country Diſeaſe*, or *Yaws*, the Perſon tendering for the Cure 300 *lb.* of Sugar, the Perſon refuſing ſhall forfeit 1000 *lb.* of Sugar.

Proviſions. N° 15. *Sect.* 1.

ALL Maſters ſhall plant one Acre of Proviſions for every two working Perſons in his Family, and to keep ſuch Ground in Order, for which Viewers were then appointed to put the Act in force.

II. § 2. Every Maſter for each Six working Slaves ſhall plant one Acre of Yams; and for every Four ſuch Slaves, one Acre of Corn, on Penalty of 50 *lb.* of Sugar.

III. § 3. The Viewers or Overſeers who were appointed to put the Act in force, if negligent were to forfeit 500 *lb.* of Sugar.

Rum. N° 25. *Sect.* 2.

EVERY Perſon keeping a Rum-work, and not having Three Coppers to convert his Canes into Sugar, ſhall pay 1000 *lb.* of Sugar *per Annum* to the Publick, ſo long as he ſhall not make his Canes into Sugar.

II. § 3. The Commander in Chief of each Diviſion in the Iſland ſhall return a Liſt yearly of all the Rum-works in his Diviſion.

Seamen or Sailors. N° 48. *Sect.* 6.

IF any Perſon keeping a Houſe of Entertainment, Tavern, or Punch Houſe, and reſide in a Cottage, ſhall truſt any Seaman or Sailor for Victuals or Liquors above one Piece of Eight in one Voyage, he ſhall loſe it; and no Magiſtrate ſhall take Cognizance of any Plea in ſuch Caſes for any Sum exceeding one Piece of Eight.

N° 85. II. *Sect.* 1.

SEAMEN found on Shore after Eight o'Clock at Night without a Certificate of Leave from their Maſters, and not giving a good Account thereof, ſhall by a Conſtable or Officer be conveyed to Gaol, and next Morning to a Juſtice, before he be releaſed; and whoever ſhall entertain Seamen after that Hour, and not licenced thereunto, ſhall forfeit Forty Shillings.

III. § 2. No Maſter of a Veſſel ſhall be liable to pay any Seaman's Debt above Six Shillings to any Tavern or Tippling Houſe: And all Perſons truſting Sailors for Liquors ſhall not recover it in any Court.

Secretary. N° 10. *Sect.* 1.

THE Secretary's Fees ſhall be the ſame as in the Table prefixed to this Act.

II. § 2. Tables of all Fees ſhall be fairly wrote, and ſet up in publick View in the Secretary's Office; and the Secretary or Marſhal may truſt any Perſon Fees: Provided this Act ſhall not prejudice inſolvent Debtors.

N° 15. II. *Sect.* 4.

ALL Writings made in the Iſland by the Inhabitants, except only Bills, Obligations, and Acquittances, ſhall be made in the Secretary's Office by him, or by his Allowance, or elſe ſhall be of no Effect; and whoever elſe ſhall preſume to draw Writings, ſhall be fined at the Governor's Diſcretion.

N° 29. III. *Sect.* 2.

THE Governor, Secretary, and Marſhal, ſhall be exempted from all Taxes upon their perſonal or real Eſtates.

Servants and Slaves. N° 17. *Sect.* 1.

ALL Owners or Overſeers of Slaves that ſhall have any ſtrange Negro come into his Plantation, on any Pretence, and ſhall loiter after Notice to depart, ſhall puniſh ſuch Negro, and ſend him home to his Maſter; and all Slaves concealing or harbouring ſuch loitering Slaves, ſhall be forthwith had before a Juſtice, and there receive 40 Laſhes: And all Owners or Overſeers neglecting their Duty, ſhall forfeit 500 *lb.* of Sugar.

II. § 2. If a Freeman ſhall combine with a Slave to run away, in or upon, or from the Iſland, he ſhall forfeit 1000 *lb.* of Sugar, or ſerve Twelve Months; and if a Chriſtian Servant be guilty of the ſame, he ſhall ſerve double the Time he had to ſerve; and runaway

Servants ſhall for every Day's Abſence ſerve a Week, for every Week a Month, and for every Month a Year, or ſuffer ſuch Puniſhment as ſhall be directed by a Juſtice of Peace.

N° 9. *in p.* 30. III. *Sect.* 1.

IF any Negro go out of his Maſter's Plantation without Licence, on the Lord's Day, or other Day of Liberty, or be found at any other Houſe in the Night, he ſhall be ſent to the Marſhal's, or if it be in the Day-time, whipt by Order of the Maſter where he is taken, and ſo ſent home again.

IV. § 2. If any ſhall receive or entertain runaway Slaves, or abet, relieve, or ſupport them, they ſhall have 60 Laſhes.

N° 10. *in p.* 30. V.

IF any Negro or Slave be found ſtraying from their Maſter's Plantation, eſpecially on the Lord's Day, without Licence, then any Maſter, Overſeer, or other Perſon may apprehend them, and convey them to the Marſhal's, or their Maſter's; and all Maſters of Slaves who ſhall find other Slaves frequent their Plantations without Licence, they ſhall correct them, and convey them as aforeſaid.

N° 30. VI.

IF any Maſter or Overſeer of a Plantation find any ſtrange Negro loitering abour, though on Pretence of lawful Occaſion, after Notice given to repair to their Owners or Overſeers, then the Maſter or Overſeer where they are found ſhall puniſh them, and ſend them to their Owners or Overſeers; and if any Slave conceal or harbour a runaway Slave, he ſhall be had before a Juſtice, and there receive 40 Laſhes; and all Owners or Overſeers neglecting, ſhall forfeit 500 *lb.* of Sugar.

N° 33. VII. *Sect.* 1.

CATTLE ſtolen by Slaves ſhall be paid for by the Owner of the Slave who ſtole them (*as in the Act*) and the Slave offending ſhall be publickly whipt.

N° 36. VIII. *Sect.* 1.

IF any Negro ſhall be taken ſtealing Stock, Cattle, or Proviſions to the Value of Twelve Pence, and convicted before the Governor and Council, he ſhall ſuffer Death, and if under Twelve Pence Value, then only whipping, and his Ears cut off for the firſt Offence, but ſecond Offence, Death; and the Owner ſhall be paid for his Slave put to Death 3500 *lb.* of Sugar by the Publick: *But by the Act* N° 62. *paſſed in* 1714. *the Owner of every Slave executed for Felony, ſhall be paid the Value by Appraiſment.*

IX. § 2. It ſhall be lawful for any Perſon to kill a Negro found digging or ſtealing his Proviſions, if above 40 Foot from a common Path, and not done in Hatred or Malice to the Slave's Owner.

X. § 3. If Owners or Overſeers of Negroes allow them to depart their Plantations on *Sundays* without a Ticket, they ſhall forfeit 300 *lb.* of Sugar, and the Slave be whipt by the Owner of the Plantation where he is found; and every Owner of a Plantation who ſhall neglect to puniſh a Slave found in his Plantation without a Ticket, ſhall forfeit 300 *lb.* of Sugar.

XI. § 4. Once a Month all Maſters and Overſeers ſhall ſearch their Negro Houſes for, and ſeize all Weapons and ſtolen Goods found therein, and if of Value, publiſh the Deſcription of ſuch Goods, that the Owners may hear of, and demand them; and if any Fleſh is found, and the Negro can't make it appear that he came honeſtly by it, he ſhall be whipt, and have one Ear cut off.

XII. § 5. Where more than one Slave is concerned in any Capital Crime, one only ſhall ſuffer Death who appears to be the greateſt Criminal.

XIII. § 6. All Commiſſion Officers, on Notice of Negroes got together, ſhall raiſe Men to purſue, take, or kill them, on Penalty of 2000 *lb.* of Sugar.

XIV. § 7. All Maſters and Overſeers of Plantations ſhall keep for every Eight Negroes one Acre of Proviſions, well planted, on Penalty of 1000 *lb.* of Sugar for every Six Months Deficiency.

XV. § 8. Every Owner who ſhall have a Slave maimed or killed by another Man's Slave, ſhall have his Choice whether the Negro who committed the firſt Offence ſhall be whipt, or for the latter Offence ſhall ſuffer Death, or whether he will have ſuch Satisfaction of the Owner of the offending Slave, as the Governor and Council ſhall adjudge ſufficient.

XVI. § 9. If any Perſon ſhall attempt to ſteal or carry off the Iſland any Negro, he ſhall forfeit 5000 *lb.* of Sugar, or ſuffer Six Months Impriſonment; and if they do really ſteal ſuch Slave, then they ſhall be adjudged guilty of Felony, without Benefit of Clergy.

XVII. § 10, Where any White ſhall take a Slave alive, he ſhall be paid 500 *lb.* of Sugar by the Owner; if dead, the ſame by the Publick; and if a Slave take a Runaway, he ſhall have 300 *lb.* of Sugar paid by the Owner or Publick.

XVIII. § 11. Perſons loſing Cattle may go into any Plantation, taking the Maſter or Overſeer to ſearch Negro Houſes, or other Houſes, and if need be, break them open; and if any Maſter or Overſeer obſtruct them therein, he ſhall pay the Party who ſuffered the Loſs double the Value.

XIX. § 12. Penalties in this Act not declared how to be diſpoſed of, ſhall be Half to the Publick, and Half to the Informer, to be recovered in a Court of Record.

XX. § 13. Every Slave abſenting himſelf Three Months from their Maſter's Service, ſhall when taken ſuffer Death, and the Owner be paid 3500 *lb.* of Sugar out of the publick Stock; *but this Clauſe is ſuppoſed to be altered to an appraiſed Value alſo, by the Act* N° 62, *paſſed in* 1714.

N° 37. XXI. *Sect.* 1.

EVERY Perſon importing a *Britiſh* Manſervant to ſerve Four Years, ſhall, if delivered to the Marſhal, or Perſon appointed to receive them, be paid by the Publick 2500 *lb.* of Sugar.

XXII. § 2. Every Veſſel importing 20 white Male-ſervants, ſhall be free from Port Charges.

XXIII. § 3. The Governor, with Two of the Council, and Two of the Aſſembly, may place white Servants ſo imported to any Plantation where they ſee meet, for the neceſſary Defence of the ſame; and the Maſters or Overſeers of ſuch Plantations ſhall be obliged to receive them, and pay the 2500 *lb.* of Sugar, as aforeſaid.

XXIV. § 4. Debts contracted for Servants imported and ſold in the Iſland may be recovered by a Juſtice's Warrant of Diſtreſs to levy on the Debtor's Goods.

XXV. § 5. In ſuch Plantations as are managed by Attornies or Overſeers, if ſuch Attornies or Overſeers refuſe to pay for Servants ſent or placed on them, then the Value ſhall be levied on the Effects belonging to the Plantation in Manner aforeſaids.

XXVI. § 6. No Cooper, Smiths, Taylors, *&c.* ſhall uſe Slaves in the ſaid Trades, on Penalty of 4000 *lb.* of Sugar; but not to hinder Maſters of Sugar-works from making their own Cask.

XXVII. § 7. Perſons impowered to ſell and diſpoſe of Servants, may advance on the Price of 2500 *lb.* of Sugar aforeſaid for the beſt Servants, according to their Judgement, or mitigate the Price on mean Servants.

XXVIII. § 8. Every Perſon trading with white Servants or Slaves without their Maſter's Licence, ſhall forfeit treble Value ſo traded for, and alſo 1500 *lb.* of Sugar, to be recovered by the Maſter; and in caſe of Non-ability, the Offender ſhall ſuffer Corporal Puniſhment, at the Juſtice's Diſcretion; and all Contracts made with Servants or Slaves ſhall be void.

N° 41. XXIX. *Sect.* 1.

EVERY Twentieth working Slave in the Iſland ſhall, upon Order of the Governor, be ſent by their Maſters with Tools to *Kingſale Fort*, to repair the ſame, and continue till the Work is finiſhed, on Penalty of 20 *lb.* of Sugar for each Slave, on each Day's Neglect.

XXX. § 2. Working Slaves, as above, and on the ſame Penalty, ſhall be ſent to repair the Trenches in their reſpective Diviſions, as preſcribed in the Act.

XXXI. § 4. The Repreſentatives in each Diviſion ſhall join Families, who have not 20 working Slaves, in order to furniſh a due Proportion in Turn.

N° 48. XXXII. *Sect.* 4.

IF any Perſon, having no viſible Way of Livelihood, ſhall buy or receive any Goods, or have any Trade with any Slave without the Conſent of his Owner, and be convicted thereof before a Judge, he ſhall ſuffer Corporal Puniſhment, not extending to Life or Limb, or pay a Fine, not above Twenty Pounds, as ſuch Judge ſhall appoint, to be levied or executed by the Judge's Warrant.

XXXIII. § 5. Any Judge may direct a Warrant to ſearch ſuſpected Houſes for Goods, and the Proof of the Property ſhall lie on the Claimer, or Perſon in whoſe Cuſtody they are found, and for want of due Proof they ſhall be returned to the right Owner, if known, or elſe be forfeited to the Publick, and the Offender ſhall be fined, not exceeding Twenty Pounds, or ſuffer Corporal Puniſhment, as aforeſaid.

N° 62. XXXIV. *Sect.* 1.

REpeals *a Clauſe in a former Act, which valued all Slaves at* 3500 lb. *of Sugar; and this Act directs*, That all ſuch Slaves ſhall be paid for by the Treaſurer according to Appraiſment of the Governor and Council.

N° 75. XXXV. *Sect.* 1.

NO Perſon ſhall delude away any other Perſon's Servant or Slave run away, or employ ſuch Servant or Slave ſo run away, or abſent from his Maſter, on Penalty of Twenty Shillings *per Diem* for every Day ſo entertained, to be recovered by the Owner of the Servant or Slave by Action of the Caſe, or Detinue.

XXXVI. § 2. Upon Judgement obtained, a *Fieri facias* ſhall be executed by the Marſhal upon the Offender's Effects; but this Act is not to affect Executors, Adminiſtrators, or Guardians, nor any Perſon's detaining Servants or Slaves by legal Writs of Replevin.

N° 85. XXXVII. *Sect.* 3.

IF any Perſon living in or between the Towns of *Plymouth* and *Kingſale*, ſhall ſell any Rum or ſtrong Liquors to any Negro or Slave for their Uſe, he or ſhe, on Conviction before a Juſtice, forfeit Forty Shillings; and if any white Perſon

Perſon ſhall buy Rum for a Negro, he or ſhe ſhall forfeit Twenty Shillings, or have 10 Laſhes on his or her bare Back.

N° 89. XXXVIII.

ALL Actions brought upon Titles to Slaves, ſhall be tried upon Actions of Trover or Detinue, and not upon Replevin.

N° 112. XXXIX. *Sect.* 1.

IF any Owner of Slaves ſhall permit them to plant or gather Indigo, Cotton, Ginger, Coffee, or Cocoa, for the Slave's Uſe, ſuch Owner ſhall forfeit Ten Pounds; and if any Free Man ſhall ſell ſuch Goods ſuſpected to a Slave, ſuch free Perſon may be brought before a Juſtice, and obliged to ſwear whether the Goods do belong to a Slave; and if he refuſe to ſwear, he ſhall forfeit ſuch Goods, for the Uſe of the Informer; and if any Perſon ſhall buy or receive any ſuch Goods from a Slave, he ſhall be bound to the Seſſions, and there fined, not above Twenty Pounds, nor leſs than Five Pounds, or lie Two Months in Gaol, or be publickly whipt; the Fines to be to the Uſe of the Fortifications.

XL. § 2. If any Slave ſhall keep Market in the Towns of *Plymouth* or *Kingſale*, or in any other Place in the Iſland, and ſell Proviſions, or other Goods, on a *Sunday*, any Perſon may take ſuch Goods from a Slave for their own Uſe, and whip the Slave.

XLI. § 3. If any Perſon ſhall buy or receive Proviſions, or other Goods, from a Slave, or ſell a Slave any Liquors, or other Goods, on a *Sunday*, he ſhall forfeit Five Pounds.

XLII. § 4. No Perſon ſhall permit Slaves, unleſs to wait on their Perſons, to go to either of the Towns on a *Sunday* without a Ticket: And the Conſtables in the ſaid Towns ſhall examine Slaves coming there on *Sundays* for their Tickets, and if they have none, to whip them, not above 39 Laſhes, and to be paid Six Shillings for it by the Treaſurer; and if a Conſtable neglect his Duty, he ſhall forfeit Forty Shillings.

XLIII. § 5. If any Owner or Manager of a Plantation, being at Home, ſuffer his Slaves to beat Drums, blow Horns, or other loud Inſtruments, for Entertainment in their Plantations, they ſhall forfeit Twenty Pounds for each Offence, unleſs ſuppreſſed in leſs than an Hour after it begins, provided Information be given to a Juſtice in Three Weeks.

XLIV. § 6. On Complaint to a Juſtice of any Crime done by a Slave, he ſhall iſſue his Warrant for the Offender, and for Evidences, and if found not Capital, he ſhall order the Slave Correction at his Diſcretion, but if very heinous, he ſhall commit the Offender to Priſon, to be tried by the Council.

XLV. § 7. All Fines in this Act ſpecified ſhall be recovered by a Juſtice's Warrant, if not above Six Pounds, and by Two Juſtices, if above Six Pounds; to be executed by a Conſtable, who ſhall be allowed Fees at the Juſtice's Diſcretion; all ſuch Fines ſhall be Half to the Informer, and Half to the Uſe of the Fortifications.

N° 116. XLVI. *Sect.* 1.

EVERY Perſon, upon Notice given in the Church for repairing the Highway, who ſhall neglect to ſend their Negroes to work thereon, ſhall forfeit Two Shillings and Six Pence for each working Slave *per Diem*.

XLVII. § 2. No Perſon ſhall be obliged to ſend more than one Moiety of his working Field Negroes to repair Highways.

XLVIII. § 3. Negroes ſhall be ſent with a proportionable Number of Houghs, Baskets, Axes, *&c.* as preſcribed in the Act; and all Slaves ſhall continue *de die in diem*, till diſcharged by the Surveyors.

XLIX. § 4. Diſputes as to any Owner's Number of Slaves, ſhall be decided by his own or Overſeer's Oath.

Ships. N° 31. *Sect.* 1.

SHIPS and Veſſels trading to the Iſland, pay an Impoſt of Gunpowder;

for a Ton of Sugar exported, 1 *lb.* of Powder.
1500 *lb.* of Tobacco, ——— 1 *lb.* of *Ditto.*
a Barrel of Indigo, ——— ½ *lb.* of *Ditto.*

II. § 2. Every Maſter of a Ship ſhall give a true Account before he depart the Harbour.

N° 35. II. *Sect.* 1.

IF any Perſon go on board a Ship or Veſſel before the Maſter has made his Appearance to the Governor, or within 48 Hours after, he ſhall forfeit 500 *lb.* of Sugar, or ſuffer Six Months Impriſonment.

N° 37. III. *Sect.* 2.

EVERY Ship or Veſſel importing 20 white Servants, ſhall be free of Port Charges.

N° 66. IV. *Sect.* 2.

NO Veſſel ſhall pay Powder, unleſs ſhe take in ſome of the Growth of the Iſland; but if ſhe do take any ſuch in, then ſhe ſhall pay 1 *lb.* of Piſtol Powder for every Ton of Goods; and for Sugar, Two Hogſheads, Two Tierces, or 2000 *lb.* Weight, is declared a Ton; a Barrel of Indigo is equal to a Ton; and for want of Powder, ſhall pay Two Shillings and Six Pence *per lb.* and for Neglect of Payment, the Maſter ſhall be committed.

Thatched Houſes. N° 48. *Sect.* 1.

NO Thatched Houſe ſhall be allowed to abide in the Town of *Plymouth*, or Limits thereof; and if any be found, the Lieutenant-governor, or Preſident, may iſſue his Warrant to the Provoſt-marſhal and Conſtables to deſtroy ſuch Houſe, Cottage, or Cabbin.

II. § 2. The Limits of the Town ſhall be eſteemed one Furlong on all Sides from the Fort.

III. § 3. Every Perſon who ſhall ſet up a Thatched Houſe within the ſaid Limits, ſhall forfeit 2000 *lb.* of Sugar, together with the Land whereon ſuch Houſe ſhall ſtand.

IV. § 6. If any Perſon keeping a Houſe of Entertainment, that ſhall reſide in a Cottage, ſhall truſt Seamen for Liquor or Victuals above one Piece of Eight in one Voyage, he ſhall loſe his Debt; and no Magiſtrate ſhall take Cognizance of any Plea in ſuch Caſes above one Piece of Eight.

N° 65. V. *Sect.* 1.

ALL Thatched Houſes in the Town of *Plymouth*, at the making this Act, were to be unthatched in Six Months; and there never was to be any more Thatched Houſes in that Town.

VI. § 2. And if any Thatched Houſes ſhall remain, or be built after that Time, the Marſhal ſhall unthatch the ſame; and if any one ſhall hinder him in his Duty, ſuch Offender ſhall be fined Ten Pounds, to the Uſe of the Marſhal; to be tried before the Governor, Preſident, or a Juſtice of the Peace.

VII. § 3. If the Marſhal be an Offender, or neglect his Duty preſcribed him by this Act, the Coroner ſhall put this Act in Force, and receive the Profits accruing thereby.

Tobacco. N° 14. *Sect.* 1.

ALL Tobacco paid for Debts or Goods ſhall be paid in Leaf, unleſs the Receiver agree to take it otherwiſe, on Penalty of Forfeiture of all ſuch Tobacco as ſhall be made up in Roll to be tendered in Payment.

II. § 2. Viewers of Tobacco were appointed in this Act by Name.

III. § 3. Receivers of Tobacco complaining without juſt Occaſion, ſhall pay the Charge of Viewing; but if the Tobacco be found inſufficient, it ſhall be burnt, and the Payer be at all the Expence.

IV. § 4. Viewers refuſing to do their Duty were to forfeit 200 *lb.* of Sugar.

Trade. N° 16. *Sect.* 1.

THE Trade of the Iſland ſhall be carried on only at the Three Towns of *Briſket*'s *Bay*, *Kingſale*, and *Plymouth*.

II. § 2. Importers of Goods ſelling the ſame at any other Place, ſhall forfeit all the Goods they import, and 2000 *lb.* of Sugar.

N° 2. *in p.* 26. III.

ALL Merchants to have free Liberty to trade (reſerving to the Governor 24 Hours with the Inhabitants) and to ſhew their Goods to the Taskers, with their Weights and Meaſures: And the Tobacco paid to the Merchants ſhall be in Roll or Ball, if they pleaſe, and can agree.

N° 3. *in p.* 27. IV.

NO Merchant or Factor reſident in the Iſland ſhall ingroſs any Commodity, or foreſtall any Goods, until the Iſland is ſatisfied, and what he does buy afterwards he ſhall not ſell the ſame again, but at the Rate the Remainder of the Goods, or ſuch like, were formerly ſold at.

N° 4. *in p.* 27. V.

MErchants Goods left in a Factor's Hands ſhall not be ſold at a higher Price than what the firſt Merchant ſold them at, on Penalty of 1000 *lb.* of Tobacco, and the Surplus of the former Rate.

N° 5. *in p.* 28. VI.

THE Governor ſhall appoint Two Taskers for viewing, ſealing, and allowing of all Weights and Meaſures, and gauging of Cask.

N° 6. *in p.* 28. VII.

ALL Maſters of Veſſels that come to Anchor, ſhall in 24 Hours enter into Bond in the Secretary's Office, not to tranſport any Perſon without Licence; and ſhall not trade without Licence, nor ſell another Merchant's Goods under Colour of his own Licence.

N° 24. VIII. *Sect.* 2.

NO Perſon, on Penalty of Five Barrels of Powder, ſhall go on board any Veſſel until ſhe has anchored 24 Hours; and if any Perſon buy Proviſions, or board ſuch Veſſel after the 24 Hours, they ſhall be landed in the Iſland, and not tranſported, on Penalty of 10 Barrels of Powder.

N° 35. IX. *Sect.* 1.

NO Perſon ſhall go on board any Veſſel entering Harbour until the Marſhal has brought the Maſter to the Governor, nor within 48 Hours after the Maſter has made ſuch Appearance, on Penalty of 500 *lb.* of Sugar,

gar, and in caſe of Diſability, to be impriſoned Six Months, or till he pay the Fine; to be heard by a Juſtice of Peace, on the Oath of one Witneſs, who alſo may fine any Perſon accuſed 100 *lb.* of Sugar, in caſe of Contempt in not appearing on Summons.

X. § 2. If any Maſter, Factor, or other Perſon, treat, grant, or obtain a Promiſe of Goods of Ten Shillings Value, or Tonnage, or Freight, before the Maſter has been with the Governor, ſuch Offender ſhall forfeit 10,000 *lb.* of Sugar, to be recovered in a Court of Record.

N° 48. XI. *Sect.* 4.

IF any Perſon, having no viſible Way of Livelihood, ſhall have any Trade with a Slave without the Conſent of the Owner, and be convicted thereof before a Judge, he ſhall ſuffer Corporal Puniſhment, not extending to Life or Limb, or ſhall be fined, not above Twenty Pounds.

XII. § 5. Every Judge may direct a Warrant to ſearch ſuſpected Houſes for Goods; and the Proof of the Property ſhall lie on the Perſon in whoſe Poſſeſſion the Goods are found; and for want of due Proof, the Goods ſhall be forfeited to the Publick, and the Offender fined or puniſhed, as aforeſaid.

Trade with the French. N° 111. *Sect.* 1.

RECites Part of the Fifth and Sixth Articles of the Treaty of Neutrality between the *Engliſh* and *French* in *America*, and Part of the Governor's Inſtructions, and alſo Part of an Edict publiſhed by the *French*, to prevent all *Engliſh* Veſſels ſailing near the *French* Iſlands; and likewiſe the Title and Intent of the Act to encourage the Trade of his Majeſty's Sugar Colonies; and then declares, That a Veſſel fitted out by the Governor may take any *French* Veſſel ſailing within a League of any *Engliſh* Shore in any of the *Leeward* Iſlands, and having traded with any of the *Engliſh* Subjects, to be proved by ſuch *French* Veſſel having on board any Goods or Manufactures of any of his Majeſty's Colonies; and the Officers of the Cuſtoms may ſeize any ſuch *French* Veſſels coming to anchor in any Road or Bay in the Iſland, though forced by Diſtreſs, in caſe any *Engliſh* Goods are found on board, and ſuch Veſſel ſhall be tried, condemned, and forfeited, by a Sentence of the Court of Admiralty, who ſhall hear and determine the ſame, according to the Intent and Meaning of this Act; and ſuch Prize ſhall be one Third to the Support of the Government of the Iſland where recovered, one Third to the Governor in Chief of ſuch Colony, and the other Third to the Owner of the Veſſel, or Cuſtom-houſe Officer who made the Seizure or Information; and if the Seizure be made by a Veſſel fitted out by Owners for that Purpoſe, then the Forfeiture ſhall be, one Third to the Publick where recovered, and the other two Thirds to the Owners of the Veſſel ſo ſet out, as aforeſaid: And if any Diſpute ſhall ariſe, whether the Loading in any *French* Veſſel be of the Produce of the *Britiſh* Colonies, the Proof ſhall lie on the Maſter and Crew of the Veſſel ſo ſeized.

XIII. § 2. The Expence of proſecuting any Offence againſt this Act, ſhall be borne out of the third Part of the Forfeiture granted to the Government.

Water-courſes. N° 46. *Sect.* 6.

WHERE any Spring riſeth in, or Water runneth through any Perſon's Land, they ſhall not cut down any Woods or Buſhes, or ſet fire to the ſame on 20 Foot of each Side, if in Cane or Proviſion Ground, except they plant the ſame with Trees to ſhade the Water; and in Paſture Ground the Trees or Buſhes ſhall be let ſtand 30 Foot on each Side the Water, on Penalty of Fifty Pounds for every 50 Foot of Ground ſo cleared or laid open.

N° 116. II. *Sect.* 8.

WHERE any Perſon ſhall turn any Water-courſe or Gutter in their Lands to overflow a Highway, he ſhall forfeit Five Pounds for each Gutter or Water-courſe that ſhall impair the Highway; to be recovered before any Juſtice of the Peace, upon the Oath of the Surveyor of the Pariſh, and levied by the Juſtice's Warrant, for the Uſe of the Fortifications.

Weights and Meaſures. N° 5. *in p.* 28.

THE Governor ſhall appoint Two of the Council to be Taskers, for viewing, ſealing, and allowing of all Merchants Weights and Meaſures, and gauging of Cask.

Wherries. N° 35. *Sect.* 3.

ALL Owners of Wherries and Canoes ſhall every Night chain or lock them up ſecure, or bring them cloſe under Guard, and take away the Oars, Sails, and Rudders, and ſecure them, or deliver them to the Guard, on Penalty of 2000 *lb.* of Sugar.

II. § 4. Whoever ſhall be convicted of ſtealing Wherries, Canoes, Loggs, or other Veſſels, or be conſenting, aiding, or aſſiſting in the ſame, ſhall be guilty of Felony.

III. § 5. If any Perſon ſhall be convicted of complotting with others intending to ſteal any Wherry, or other Veſſel, the Offender ſhall forfeit 2000 *lb.* of Sugar, if a Free Man; and if a Servant, ſhall be whipt, and con-

demned to Four Years Servitude, after his firſt Servitude is expired.

Woods. N° 46. *Sect.* 6.

WHere Water runneth through any Perſon's Land, they ſhall not cut down any Woods or Buſhes, or ſet fire to them within 20 Foot on each Side, unleſs they plant Trees to ſhade the Water; and where any Spring riſeth or runneth through any Paſture, the ſtanding Wood or Buſhes ſhall be let ſtand 30 Foot on each Side, on Penalty of Fifty Pounds for every 50 Foot of Ground.

Writings. N° 15. *Sect.* 4.

ALL Writings made upon the Iſland by the Inhabitants, except only Bills, Obligations, and Acquittances, ſhall be made in the Secretary's Office by him, or with his Allowance, or elſe ſhall be of no Effect; and whoever elſe ſhall preſume to draw any ſuch Writings, ſhall be fined at the Governor's Diſcretion.

Writs. N° 76.

NO Writ ſhall be ſerved on any Councillor, Aſſemblyman, or their Clerks, nor on any Juryman, Evidence, or Plaintiffs or Defendants, nor on any Inhabitant ſummoned to meet on Diſcipline in the Militia, or on their Servants or Slaves attending on them, or on the Horſes they ride on, upon any publick Days, when ſummoned by lawful Authority to attend on any Meeting of Council, Aſſembly, Court, or Militia, nor in 24 Hours before or after ſuch Days of meeting.

N° 89. II. *Sect.* 6.

ALL Writs of Summons ſhall be ſerved on the Defendant Four Days before Court, and ſhall be in the Form preſcribed in the Act.

III. § 11. The Chief Juſtice, or eldeſt Judge, ſhall ſign all Writs of Execution in the Form alſo preſcribed in the Act.

IV. § 20. Such Writs of Execution ſhall not be awarded between the laſt of *Auguſt*, and firſt of *March*, yearly; but Writs of Seiſin, or Poſſeſſion of Lands, or Slaves, or Chattels, in Actions of Detinue or Replevin, may be executed at any Time of the Year.

V. § 28. Writs of Error ſhall be ſigned by the Commander in Chief, and Proceedings had thereon, as preſcribed in the Act.

VI. § 29. Writs of Enquiry of Damage ſhall be granted by the Court.

VII. § 33. Writs of *Scire facias* to revive Judgements ſhall be ſerved Six Days before Court, and in the ſame Manner as Writs of Summons are ſerved.

N° 90. VIII. *Sect.* 2.

ALL Writs of *Formedon*, in Deſcender, Remainder, or Reverter, ſhall be ſued in Seven Years after the Cauſe of Action, and not afterwards.

IX. § 3. Proviſo in Favour of Perſons under Diſability, who may ſue in Seven Years after Diſability is removed.

N° 121. X. *Sect.* 2.

ALL Writs of Summons, Arreſts, or Executions againſt a Chief Juſtice, ſhall be ſigned by the next ſenior Judge.

FINIS.